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**TOMORROW 12-PAGE SPECIAL**



Debate promised on single currency

## Clarke takes the steam out of Euro row

By Philip Webster, Political Editor

KENNETH CLARKE bought the Government time over Europe yesterday when he told MPs that he would seek copper-bottomed guarantees that Brussels would not interfere in the British economy if it did not join a single currency.

The Chancellor also promised that no binding political decisions would be taken by finance ministers meeting in Dublin on Monday, and that the Commons would hold an extended debate on the new currency next month.

His pledges, issued during a tense session in the Commons, appeared to take the steam out of a row that had threatened to overshadow his Budget today. Eurosceptics had accused ministers of stifling debate over regulations which they fear could mean Britain being subjected to Brussels disciplines — including fines for running excessive budget deficits — even if it did not take part in monetary union.

Asked by John Redwood to ensure that the regulations included a declaration that such sanctions would not apply, the Chancellor promised to seek the "best possible text" that put any doubts to rest. "I agree it has to be seen



"Gerald's had a tip-off that blanchange is going up"

to be copper-bottomed, or as copper-bottomed as we can get it."

As he spoke, John Major was seeing leaders of the 1922 Committee, whose chairman, Sir Marcus Fox, voiced MPs' concerns about ministers' handling of the affair. The Prime Minister defended the Government but told them that it had agreed to demands for a longer debate — probably the week after next — and the Chancellor told MPs: "No binding decisions will be taken in any forum until that debate has taken place."

Government sources said later that the vote on the single currency regulations would be held after that debate.

Last night MPs were still angry with the Prime Minister and his colleagues for bringing trouble upon themselves by trying to avoid the debate. But the Chancellor's gamble of subjecting himself to an 80-minute cross-examination on the floor of the Commons had clearly paid off.

Senior Conservatives felt that his subdued approach had won the Government breathing space and persuaded sceptical MPs that he recognised their concern that he should take account of Parliament's wishes before making any lasting deals in his European negotiation.

The Chancellor made plain that at Dublin he would be arguing for changes in the "stability pact" — the rules governing the economic performance of single currency countries.

He said: "I have been arguing throughout that the fines should not be excessive. We do not want BSE-crisis type financial obligations imposed on countries already struggling to cope with excessive deficits, and procedures should be reasonably flexible and should at all times be under the control of the council of Ministers."

Mr Clarke, who attacked recent "highly misleading" press reports, also announced that he was releasing some confidential documents to show that he was serious about welcoming the opportunity for a full and informed debate. "Whether we are in or out (of EMU), my concern is and will remain to respect the position and traditions of this Parliament and our independent nation state," he said.

He was helped by his predecessor, Norman Lamont, who agreed that plans for a German-sponsored "stability pact" imposing fines on EMU members with big budget deficits would not bind Britain. Mr Lamont added, however, that if Britain did join — as Mr Clarke wanted — the

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## Kinnock becomes the prime suspect

By Andrew Pierce, Political Correspondent

KENNETH CLARKE indicated in the Commons that he suspected that Neil Kinnock was behind the leaking of a confidential Treasury document which fuelled the latest Tory row over the single currency.

The document was produced specifically for Mr Kinnock and Sir Leon Brittan, the two British EU Commissioners, at the personal direction of Mr Clarke. It was subsequently leaked to *The Sunday Times*. Only four copies were sent to Brussels — one each for the commissioners and a copy for their respective Chief Cabinets.

The Chancellor left few MPs in any doubt about the result of the swift Whitehall mole inquiry in recent times when he suggested he would not be able to pass on any more sensitive document to Mr

Kinnock, the former Labour leader who is now Transport Commissioner.

Aides of Mr Kinnock denied the accusation. Philip Lowe, the Chief of Cabinet to Mr Kinnock, said: "It is not true. Neil Kinnock never even saw the document. Nor did I."

But as Treasury officials raged over the breach of confidence, it emerged that they had not marked the paper private or confidential. "It went to all sorts of people in Brussels," said one EU official. "They were lying around all over the place."

Mr Clarke told the Commons that he suspected that Gordon Brown, the Shadow Chancellor, was also involved. "The fact that Mr Brown was waving it about and has revealed it, makes me think that Sir Leon Brittan is probably in the clear," he said.



Roisin McAliskey at the funeral of the terrorist Dominic McGlinchey in 1994

## Bernadette McAliskey daughter detained

By Nicholas Watt, Chief Ireland Correspondent

THE eldest daughter of Bernadette McAliskey, the former nationalist MP, is facing extradition to Germany on charges connected to the IRA mortar attack on the British Army barracks in Osnabrück in June.

German federal prosecutors said yesterday that Roisin McAliskey, 25, a graduate of Queen's University, Belfast, was wanted for questioning about attempted murder and possessing explosives.

Miss McAliskey, who shouldered the coffin of the terrorist leader Dominic "Mad Dog" McGlinchey after he was shot dead in a republican feud in 1994, is accused of being a member of an IRA cell which planned and carried out the attack. Troops escaped



Bernadette Devlin at the age of 21

injury when terrorists fired three mortars from a Ford Transit van at the Quebec barracks in Osnabrück on June 28. One of the bombs fell harmlessly out of its launcher, a second failed to explode and the third went about 15 yards into the base. German police

later named Michael Dickson, a former British soldier, as one of the chief suspects. He is still on the run.

A warrant for Miss McAliskey's extradition was sworn yesterday before Bow Street magistrates in London, and sent to Belfast last night where Miss McAliskey has been in police custody since last Wednesday. She is expected to be flown to London in the next few days to appear before the court.

Miss McAliskey was arrested by the RUC last week at her mother's house near Coalisland, Co Tyrone. The RUC searched the house yesterday.

Mrs McAliskey, 49, became Britain's youngest woman MP when, as Bernadette Devlin, she took her seat on her 22nd birthday in 1969. Yesterday she denied that her daughter had ever visited Germany.

## British drivers mount their own blockade in Calais

By Ben Macintyre in Paris and Bill Frost

BRITISH lorry drivers trapped in Calais by their striking French counterparts lost patience yesterday and mounted a counter-blockade, insisting that no tourist traffic would be allowed to move through the port until the French drivers allowed them to leave.

As the bitter dispute between French lorry drivers and hauliers over pay and working conditions entered its eighth day, the strikers intensified their protest by blockading the ports of Calais and Boulogne, stopping trucks from crossing the Franco-German border and setting up lorry-barricades on more than 160 major roads across the country.

The strike showed signs of spreading to other sectors as the Communist-led CGT union called on members to rally at the strikers' barricades in a "day of action" tomorrow and the powerful rail unions declared solidarity with the drivers.

At Calais the French lorry drivers allowed cars and buses to pass through, but yesterday afternoon 20 stranded British lorry drivers moved their vehicles to block all access, compounding the travel problems caused by the closure of the Channel tunnel to all but freight trains.

"The port of Calais is now closed. Why should we be stranded and the tourists allowed through? Why should the French strand us and not everyone else?" one British lorry driver said.

In contrast, some British drivers left their cabs to join the ranks of the French demonstrators while others headed to Belgian ports in an bid to cross the Channel only to run into new blockades at the

Belgian border. The British counter-blockade was later lifted, but the truckers vowed to reimpose it at unless the dispute was resolved.

Many British drivers and small haulage companies say they are being ruined by the dispute as cargoes are left to rot in stranded lorries. Sir George Young, the Transport Secretary, pledged government action to ensure compensation claims are quickly dealt with by the French authorities.

The Freight Transport Association wrote to John Major demanding that he intervene personally to end "this wholly unlawful behaviour" by the French. A spokesman estimated that the dispute had cost British hauliers £3 million.

A German truck driver was seriously injured when his lorry was stalled near the eastern town of Chalon-sur-Saône and he had to undergo emergency surgery. The owner-driver, from the Stuttgart area was hit on the head as he drove towards a roadblock being set up by strikers. He managed to stop his truck on the hard shoulder and summon assistance. Four men are being questioned.

Some British drivers left their cabs to join the ranks of the French demonstrators while others headed to Belgian ports in an attempt to cross the Channel, only to run into new blockades at the Belgian border.

In a spirit of *entente cordiale*, French drivers invited their British colleagues to cross their picket line and join in a buffet of bread, ham and beer last night in the 100-yard gap between the French and British blockades at Calais.

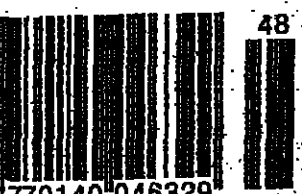
Fuel crisis grows, page 10

### Markets surge

Financial markets were in a buoyant mood ahead of the Budget with the FTSE 100 up 35.9 at 4054.6. Page 25

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## Surgeons' president attacks advertising by consultants

By Jeremy Laurance, Health Correspondent

THE president of the Royal College of Surgeons today accuses the General Medical Council of jeopardising Britain's health-care system by allowing hospital consultants to advertise in the public.

Sir Rodney Sweetnam says the decision of the profession's regulatory body to allow specialists to tout for business in newspapers and magazines will prompt patients to bypass their GPs or demand referral to a particular consultant. This will "undermine good general practice" and lead to patients being treated by specialists who are ignorant of their medical background, Sir

Rodney says in a letter to *The Times*.

The GMC's decision to allow advertising by consultants, taken at a meeting on November 5, was prompted by the recognition that increasing numbers of specialists were flouting the existing guidelines by including details of their services in Yellow Pages. A briefing for the council said that this flouting of the guidelines was now so common that the GMC did not have the resources to take action against the culprits.

Sir Rodney said yesterday: "I think that is a terrible admission. You have the

GMC — the controller of us all — saying that although the guidelines are being breached they haven't got the resources to deal with it. That is unbelievable. It is pathetic."

"If you have a regulatory authority issuing guidelines that it hasn't got the resources to monitor, there is something fundamentally wrong."

Sir Donald Irvine, president of the GMC and a former GP, said last night that the council wanted patients to have the best information about specialist care while protecting them from exploitation.

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## Divers are sent to retrieve jet victims

FROM INIGO GILMORE ON RÉUNION

A SPECIALIST diving team was flown to the Comoros Islands yesterday night to retrieve the remaining bodies from the wreckage of the hijacked Ethiopian Airlines Boeing 767 that crashed on Saturday.

Last night the rescuers were checking reports that a six-month old baby had been found alive after being washed up on a beach more than a mile from the wreckage. The baby was said to be in a cushioned baby-bed and its parents were also reported to have survived.

Comoran rescue workers used hand-held chainsaws and hacksaws in a bid to

extract bodies trapped in the wreckage of the plane's mid-section. Seven Britons were among the 122 people who died.

Two men held by police in the Comoros as suspected hijackers may be released today, a government spokesman in the capital, Moroni, said last night.

He said the men were now believed to have been innocent passengers, and would be released if officials could confirm this. When the suspects were shown to the plane's first officer he told them they were not the hijackers.

Before the crash, page 6

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# Inflating chancellor squeaks out of tight spot

Ecofingate fizzed out yesterday afternoon. As so often happens at widely billed Commons occasions, by the time MPs had gathered for the storm, the clouds had blown away.

"I have been brought to this House," said Kenneth Clarke, "by weekend newspaper reports, some of whose contents bore not the faintest resemblance to reality."

Nothing could have been further from the truth. It was loyal Government backbenchers who had been whipped in by the Sunday newspapers. Tory MPs were concerned that, if the position really was as critical for the Government's survival as the press said, they had better come

along and support it. One by one, the Cabinet's friends stood up. Tom King (Bridgewater), a sort of Sir Buteon Tufton with Privy Council knobs on, weighed in helpfully at the outset. Sir Terence Higgins (Worthing), a thinking-man's Sir Buteon, brought praise for Mr Clarke. Tim Renton (Sussex Mid), a culture-lover's Sir Buteon, was sure Clarke was right. David Hunt (Wirral W) and John Butterfill (Bournemouth W), there when you need them, had supportive words for the Chancellor.

And that was just the Tories. The Chancellor seems to have friends among the Opposition too: Labour's Giles Radice (Durham N) echoed his views,



MATTHEW PARRIS  
POLITICAL SKETCH

while Kevin McNamara (Kingston upon Hull N) was far from hostile. Interestingly, Clarke's Shadow, Gordon Brown, put in a slightly awkward performance — perhaps aware that he faced the same criticisms from his own backbenchers as the Chancellor did from his. Dennis Skinner (Bolsover), Peter Shore (Bethnal Green & Stepney) and Tony Benn (Chesterfield) — then proved it. They hardly drew blood, being by implication as critical of their own front bench as of the Govern-

ment's. There was another respect in which the press had saved Mr Clarke. So ominous had been the weekend cries of "foul" and "offside" that it was not difficult for a politician of Clarke's abilities to persuade MPs that the case had been wildly overstated. In particular, he was able to dismiss with force the argument that Parliament could direct his negotiating strategy before the event, rather than assess its fruits which, he said, would be only a draft agreement.

But the key to Clarke's

survival yesterday lay in the way potential troublemakers pulled their punches. Once Norman Lamont had inquired rather than attacked, John Redwood had asked for an assurance he was able to give, and Bill Cash had huffed and puffed — but no more — we knew the Chancellor was safe.

And, like any accomplished street magician, Kenneth Clarke had a clever distraction ready. With wit, without direct accusation, but with a willingness to strike which lies always beneath the surface with Mr Clarke, the Chancellor started a new hare running yesterday, for MPs and for the press. Did Neil Kinnock leak the offending document or

didn't he? "Ooooh!" squealed MPs, as Clarke told us that two men, Sir Leon Brittan and Neil Kinnock, had the papers — and it wasn't Sir Leon who'd done it.

Fatter by the day as his predecessor Lord Lawson grows thinner, Kenneth Clarke has become a weightwatcher's portrait of Dorian Grey. Throughout, he adopted that air of exasperated rationality which he has made his trademark, every third word emphasised beyond any weight it could possibly bear, and every sentence ending on a sort of breathless squeak. For him, the whole afternoon was a breathless squeak. Mr Clarke squeaked through.

## PM backs England to host World Cup

John Major pledged his personal support to Glenn Hoddle, the England manager, last night for plans to bring the World Cup to England in 2006 on the fortieth anniversary of the Wembley triumph over West Germany. The commitment came after an hour of talks at Downing Street between the Prime Minister and a delegation from the Football Association, led by Mr Hoddle.

Further detailed talks will be held with the Government within the next two weeks. But Mr Major's support will be an important boost for the FA, which is facing competition from Germany to stage the championships, who last hosted it in 1974. Mr Major has agreed to demonstrate his support for the FA bid by holding a Downing Street reception for the FA bid by holding a Downing Street reception ahead of next February's World Cup qualifying match against Italy. Mr Major, an avid football fan, occasionally watches Chelsea which was managed by Mr Hoddle until he was given the England post earlier this year.

Graham Kelly, the chief executive of the FA who was part of the delegation, said: "I am very happy that the Prime Minister has indicated that he is very keen and will strongly support the bid in principle."

## Fayed costs hit £54,000

A government legal bill of nearly £54,000 as a result of the appeal by the Fayed brothers over their applications for British citizenship was disclosed by the Home Office. Defending the Home Secretary's decision to deny citizenship to the Egyptian-born brothers cost £53,915 up to October 28. Final costs of the case will be higher.

## Hospital 'cone' criticised

An NHS hospital facing spending cuts and possible job losses has been criticised for plans to erect a revolting neon cone outside its main entrance. The multi-coloured 25ft cone is to be placed on a hillside overlooking St Mary's Hospital, Newport, Isle of Wight. The £55,000 cost is being met by the National Lottery and private funding.

## Organ scholar injured

An organ scholar at Trinity College, Cambridge, is on a life-support machine in Addenbrooke's Hospital after hitting his head, in an accident after a party. Tom Blunt, 19, fell as he tried to climb out of the fountain in Great Court. He underwent emergency brain surgery to try to stem internal bleeding.

## Disneyland boy dies

A teenager who helped to spearhead a muscular dystrophy research campaign has died on the flight home from a holiday in Disneyland. Tom Willett, 14, was the last of three brothers to succumb to a rare form of the disease. He had been taken to Florida by the charity Cloud Nine and died an hour before the plane landed at Gatwick.

## Spitfire for Glasgow

Michael Portillo, the Defence Secretary, has announced plans to transfer a Spitfire to the City of Glasgow Museums to mark the part played by Scottish squadrons during the Second World War. At the Scottish Grand Committee in Cape, Mr Portillo praised the "valiant acts" by 602 City of Glasgow and 605 City of Edinburgh squadrons.

## Reynolds cuts costs

Albert Reynolds, the former Irish Prime Minister, will not have to pay all the estimated £1 million costs of his libel action against *The Sunday Times*. Mr Justice French held that the paper's defence of qualified privilege was not justified. So Mr Reynolds should not pay costs incurred by the paper before it paid a £5,000 settlement offer to court.

## Peak District rescue

Two boys who disappeared overnight in blizzard conditions in the Peak District were found safe yesterday after one walked ten miles through snow. Philip McKernan, 13, was found collapsed by the AS37. James Forder, 15, had camped in a snowdrift. In Snowdonia, six scouts and their two leaders trapped for 24 hours were airlifted to safety.

## Medieval priory found

Archaeologists have uncovered the remains of a rare 15th-century priory inside St Werburgh's at Warburton near Altricham in Cheshire, a church thought to date from the 16th century. Manchester University researchers stumbled across the priory of the ancient Premonstratensian order while examining the interior of the Grade II listed church.

## Soccer miss-match

A ten-year-old footballer missed a chance of joining Leeds United when the club discovered the player was a girl. Delana Morton, from Chapelthorpe, Leeds, was spotted at a training session. It was only when an invitation was sent to attend a trial that officials learnt the truth. A club official said: "She was very good — like one of the lads."

## Desert island windfall

The little-known Cambridge duo Ezio, whose album track *Cancet Today* was chosen by Tony Blair as one of his desert island discs, are enjoying an unaccounted burst of interest. Record company executives were queuing up for the signatures of Ezio Lunardi and Mark Fowell. "If I wasn't a Labour voter before, I certainly am now," Mr Lunardi said.

## Whitehall hotel plan 'is gift to terrorists'

By ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

A SCHEME to convert a former Treasury building overlooking Whitehall into an hotel came under fierce criticism last night from MPs worried about the threat of terrorism.

Ministers are close to completing a £200 million deal which will allow the building on the corner of Parliament Square to be taken over by Exchequer Partnership, a private company. A third of it is to be leased back by the Government.

Sir Terence Burns, the Treasury Permanent Secretary, confirmed that the company planned to turn the front of the building, overlooking the Houses of Parliament, and the back rooms of the former

offices, overlooking St James's Park, into hotel accommodation.

MPs immediately accused senior civil servants of failing to check the security implications of allowing a hotel to overlook Parliament and a route frequently used by the Royal Family. Diane Abbott, a Labour MP, accused Sir Terence of ignoring the dangers of allowing a hotel "with in a mortar bomb's throw of Downing Street".

She claimed that there would be serious dangers with cars left in an area in which parking is prohibited. "If I were an IRA terrorist, the first thing I would do is book a permanent suite," she said.

Other MPs on the Treasury Select Committee also questioned Sir Terence over the security advice he had been given. Sir Terence insisted: "We have consulted people with responsibility for security and they have raised no objections."

He admitted that his department could not prevent the conversion. "It is essentially a matter for Exchequer." He said that any plans for hotel accommodation would need planning permission, although the local authority would not have responsibility for security matters.

The Grade II listed building would become one of the foremost residential, hotel and private office sites in London if permission is secured. The refurbishment, which would be completed by 2001, is the biggest project under the Pri-



The Treasury building overlooking Parliament. "If I were a terrorist, I would book in at once" said one MP

mary Finance Initiative to involve a government building.

Sir Terence defended the Government against accusations that only one tender was formally considered, after the only rival company failed to meet a deadline.

Labour MPs warned that taxpayers could have lost money through the absence of a competitive bid. Sir Terence insisted that the correct procedures had been followed, although he admitted that he would have preferred additional competition. Although

41 firms originally expressed an interest in taking on the Treasury building, four of the eight short-listed candidates were quickly found to be unsuitable. Of the four, two dropped out of the bidding process before bids were sought and the only rival to Exchequer failed to meet the deadline by hours.

Sir Terence refused to answer questions about the detailed cost of the new contract, insisting that it should remain confidential until the deal is finally completed, which will

probably be early next year. Sir Terence admitted that the costs to the Treasury of renting the new office accommodation would be higher than the current £25 million, but denied reports that it would be as high as £15 million.

However, he said the higher costs were due to the private company taking on responsibility for maintenance and other services. Ministers decided to allow the private sector to take on the running of the Treasury building after being told that it required

£57 million of repair work.

Betty Boothroyd, the Speaker of the House of Commons, was last night urged to investigate and report on the effect privatisation of HM Stationery Office has had on the production of *Hansard*, the daily parliamentary bulletin. Derek Foster, Labour's public service spokesman, last night wrote to the Speaker following news that the Stationery Office which was sold to Electra Fleming last month was seeking 950 redundancies out of the 2,500 workforce.

## Kents mourn as Army nephew dies in crash

By MICHAEL EVANS

A NEPHEW of the Duke and Duchess of Kent died yesterday in a car accident in Germany.

Lieutenant Richard Worsley was travelling with Lieutenant Sebastian Partington on the way to their Light Dragoons base near Hanover in the early hours of the morning when their car hit a tree on a notoriously dangerous road in a training area. Both men had served with distinction in Bosnia.

Lieutenant Worsley's 69-year-old father, Oliver, is the brother of the Duchess of Kent, and his mother was formerly Penelope Fuller of the brewery family in London. Mr Worsley was given the news as he flew home from visiting relatives in Canada.

A friend of the family, who lives in Haslemere, near York, said: "Richard lived for the Army. He packed a lot in to his few years. His parents, brother and sisters are finding it



Worsley: veteran of Bosnia campaign

difficult to come to terms with the tragedy."

Major Marcus Browell, second-in-command of the Light Dragoons, who have been repeatedly deployed to Bosnia in a reconnaissance role, said last night: "The Light Dragoons mourn the loss of the two excellent officers at the beginning of promising careers. They were popular with the soldiers and officers alike."

Lieutenant Worsley served in Bosnia from September last year to February this year. He is understood to have been awarded two service medals for his time there, because his service overlapped the period between the force commanded by the United Nations and the subsequent Nato-led Implementation Force. He was due to be deployed with his regiment to Northern Ireland in January.

Lieutenant Worsley was born 11 years after the royal wedding in York Minster between his aunt Katharine Worsley and the Duke of Kent.

He was educated at Brancote preparatory school in Scarborough and at Uppingham public school, and joined the Light Dragoons in August 1994 after attending Sandhurst. He was third of four children. Another uncle, Sir Marcus Worsley, 5th baronet, was deputy chairman of the National Trust, and was a Conservative MP in Keighley and in Chelsea.

## Clarke defuses Euro row

Continued from page 1

finer and scrutiny would apply and "this House is entitled to debate the level of the fines, the flexibility and inflexibility of the system."

That has not been debated adequately until this afternoon. If it had been, this needless row would have been avoided," he said.

Mr Redwood described Mr Clarke's promise as "a good day's work", adding: "I am delighted that the Chancellor is going to seek a more copper-bottomed text as there are still

real worries that more control will be taken over the British economy if these regulations go through unamended."

Other sceptics, however, reserved judgment. John Townend, chairman of the 92 Group of rightwing Tories, said that he was suspicious of Europe and that opt-outs were not guarantees. Britain had won an opt-out from the social chapter of the Maastricht Treaty, but the 49-hour maximum working week was still being imposed through the courts, he said. "We're not

further on. The Government is still saying it's keeping its options open."

Bill Cash, however, said that a few days ago backbenchers were not getting the scrutiny of European business that they had been promised. "We've now had a statement, and we are also now going to have a debate. We got progress."

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## SCENTS OF WONDER.



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Basham contests author's account of his role in airline's battle with Richard Branson

## BA public relations man sues over dirty tricks allegations

By Katherine Knight

A FORMER public relations manager for British Airways yesterday began a High Court libel action over claims in a book that he was a liar who masterminded a smear campaign against Virgin Atlantic.

Brian Basham, 52, is suing the author and publisher for "substantial damages" over allegations in *Dirty Tricks: British Airways War Against Virgin Atlantic* that he was a professional "pedlar of lies", a "doggy PR" man, and a dissembler who had constantly lied to the press stories about British Airways that he knew to be wrong.

Martin Gregory, the author, and Little, Brown, the publisher, deny libel. They say their claims are shown to be true by a report circulated by Mr Basham to journalists

containing potentially damaging information about Richard Branson, Virgin Atlantic Airways' head, and taped conversations with journalists in which Mr Basham admits he would like to see damaging stories about Virgin in the press.

Patrick Milmo, QC, for Mr Basham, said his client had co-operated fully with Mr Gregory, hoping that the truth about the bitter commercial war between the airlines would finally be told. Instead he found his reputation destroyed, Mr Milmo said.

Mr Justice Ian Kennedy and the jury were told by Mr Milmo that Mr Basham had already been made a scapegoat by British Airways' management and publicly blamed after its libel loss in 1993 to

Richard Branson over their alleged "dirty tricks" campaign. But the book also showed that Mr Basham had been set up by journalists known to Mr Branson in an attempt to portray him as a "professional dissembler of lies", Mr Milmo said.

Mr Milmo told the court that the action centred around 11 passages in *Dirty Tricks*, which all suggested Mr Basham was a "doggy PR man", who distributed damaging information about Mr Branson and Virgin Atlantic that he knew to be untrue.

He said Mr Basham had started working for British Airways in 1984. By 1991 Virgin had established itself as a serious competitor. "British Airways was concerned, indeed exasperated by the heroic barn-storming image Mr Branson was able to create for his airline, and looked to Mr Basham to counter this publicity," Mr Milmo said.

"British Airways' management — by that I mean Lord King, the chairman; Sir Colin Marshall, chief executive; Robert Ayling, director of marketing; and David Burnside, director of public affairs — had many ideas about rubbishing and denigrating Virgin," Mr Milmo said.

"Mr Basham spent a lot of time trying to restrain British Airways' management from carrying out these ideas... he thought the BA strategy was ill-judged."

The jury was told that in 1991, one of Mr Branson's complaints was of dirty tricks and sharp business practices in getting passengers to switch from Virgin Atlantic flights to British Airways. "It was said Virgin passengers were enticed by offers of flights on Concorde, by promising free flights, and in one or two instances it was said by masquerading as Virgin staff and pretending flights were delayed or cancelled," Mr Milmo told the jury. "This was nothing at all to do with Brian Basham, he had no knowledge of it and if he had he would have thoroughly disapproved."

The allegations culminated in a libel action brought by Lord King in 1993 leading to a "humiliating defeat" when British Airways agreed to pay Mr Branson and Virgin £610,000 damages and make a public apology, Mr Milmo said.

"There had to be a scapegoat," he went on. "And who did they choose to give that role, make the fall guy? There was one person named and that was Mr Basham. There is no basis for this. He acted with British Airways' knowledge and authority and acted with good faith throughout."

The court was told that as part of his duties for British Airways, Mr Basham had compiled a report detailing Virgin's business strategy and Mr Branson's other business activities, including his ownership of a nightclub called Heaven in London's Charing Cross. The club had been linked, although without proof, with drug dealing, fire risk, homosexuality and male



Brian Basham and his partner Lynne Goodson leaving the High Court yesterday after the start of his libel action

prostitution. Mr Basham then showed his report to a small number of reputable journalists. "The defendant's case seems to be that by so doing Mr Basham was conducting a smear campaign, dissembling lies."

In fact, Mr Milmo said, Mr Basham had only included Mr Branson's ownership of the club in his report as he thought it was a risk that someone in such a high-profile position should be associated with a nightclub with such a shady reputation.

The jury was told they would also be listening to tape interviews between Mr Basham and two journalists in which he suggested he would like to see damaging stories about Virgin Atlantic in the newspapers that could not be traced back to British Airways. "One of the journalists, Christopher Hitchen, was a friend of Mr Basham's second wife Eileen and good faith in agreeing to be interviewed. In both interviews Mr Basham believes he was set up. In one

case he most certainly was — meaning a trap was laid for him."

"That trap was for him to say something discreditable about Virgin so that Richard Branson could say 'prove it', showing there was a smear campaign against him," Mr Milmo said that while some of the book *Dirty Tricks* was true, it was essentially a "docu-drama" with many parts a product of Mr Gregory's imagination.

"It shows Brian Basham as a ruthless, pugnacious, and

indulgent, with a love of luxury, devious and professionally dishonest. Brian can take most of that but not the last, not the accusation that he is a professional liar, because that strikes at the heart of his career, and his life's work."

He said Mr Basham is seeking substantial damages for the hurt and damage to his reputation caused by the allegations.

At the end of the first day's hearing the jury was sent out to read the 400 page book. The case continues.

## Parents pay son's 'ransom demand'

By Adrian Lee

AN ELDERLY couple sent £5,000 in ransom money to their son in Thailand after he repeatedly telephoned them at home in Wales saying he had been kidnapped.

Far from learning for his life, however, Peter Chetnik, 30, a civil servant, was living in a beach resort with a 23-year-old Thai woman. He made the calls, often accompanied by angry Thai voices, because he had simply run out of money and feared his parents would refuse to help.

Over the months his mother Maria, 60, and father Peter, 72, sent the money and prayed for their son's release. The Foreign Office was informed as the calls continued. In one, he pleaded: "Mum get me out of here, please."

Mrs Chetnik, of Cardiff, said: "Peter took a year off from the Welsh Office. He left in April and took a lot of money to pay for his stay. Six months ago the first call came saying he was being held prisoner and needed money to be freed. We sent a lot of money but had more calls asking for more."

Thai police told Mrs Chetnik and her husband, a retired lorry driver, their son was alive and well and will not be prosecuted. A spokesman said: "He wasn't bound or gagged, but living on an southern beach resort with a young woman. He says he ran out of money and invented the ransom demand to get more."

### BASHAM

A public relations man of Fleet Street legend and a streetfighting boxer, Brian Basham combines support for the Labour Party with a taste for Savile Row suits. The son of a butcher in Cardiff, south Wales, he left school at 17 to become a model pursuer for the Orient Steam Navigation Company and built his reputation as a formidable businessman in the 60s and 70s at the car hire firm Avis under the advertising slogan "we try harder". He took over as President of the CBI this year.

### BURNSIDE

An Ulsterman and staunch Unionist, David Burnside, 44, was employed as British Airways' PR executive at £140,000 a year. He enjoyed a close relationship with Lord King, and worked hard to protect the company's image. He left BA in 1993 when the relationship soured over the Virgin "dirty tricks" affair and has continued to work in public relations. Journalists continue to suspect his hand behind initiatives close to his political and business interests.

### MARSHALL

Sir Colin Marshall succeeded Lord King as chairman of British Airways in 1993, having helped to steer the company through privatisation in 1987 as chief executive. Now 65, he left public school at 17 to become a coded pursuer for the Orient Steam Navigation Company and built his reputation as a formidable businessman in the 60s and 70s at the car hire firm Avis under the advertising slogan "we try harder". He took over as President of the CBI this year.

### KING

Lord King stepped down as chairman of British Airways six months earlier than expected as the Virgin "dirty tricks" affair raged. He left the hot seat in 1993 after BA had to apologise to Richard Branson "and pay £3.5 million in damages and legal costs. Aged 78, he remains ebullient, genial and pugnacious in turn, a legendary figure in the creation of BA as a world beater. As chairman he earned £670,000 and shares worth £700,000, and had a chauffeur-driven Bentley.

### AYLING

The current chief executive of British Airways, Robert Ayling, 50, is a tough free marketeer with a zeal for the deal. Born in Bournemouth, south London, the son of a grocer, he rose from being an articled clerk to chief executive of one of the world's biggest airlines and part of the new generation of BA management to take the company into the new millennium. He lives in Shropshire, south London, with his wife Julia, a textile printer, and has three children.

### BRANSON

The inspiration behind the Virgin chain of businesses, Richard Branson is a charismatic entrepreneur who likes to bring his own brand of fun to any deal. His bearded face, usually split by a huge, boyish grin, fronts about 20 companies with an annual turnover of about £1.8 billion. The 46-year-old's personal fortune is estimated at £1.6 billion. He likes to risk his life with record-breaking ballooning attempts every few years. He has two children, Sam and Holly.

## Domineering JP made his wife lie to police

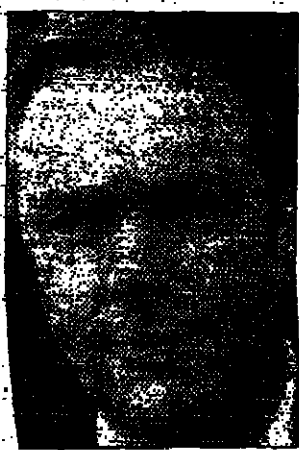
By Michael Horsnell

THE submissive wife of an overbearing JP, who forced her to lie to save him from a drink-driving charge, had her jail sentence cut by the Court of Appeal yesterday.

The judges showed mercy to Anne Bosworth, 38, whose husband behaved like a "domineering Victorian" when he made her tell police that she was driving her Range Rover after he crashed it. They reduced her sentence for perjury and attempting to pervert the course of justice from nine months to six when they heard about the bullying she was subjected to by her husband John, 50.

The bullying magistrate, who used to accuse her of being "ridiculous", ruled her with a "rod of iron", was jailed by magistrates for 16 months for drink-driving and for 15 months at Leeds Crown Court for perjury.

The court was told in a statement from a friend of the couple that the husband would tell her: "You are my bloody wife and you will do as I tell you." Lord Justice Swin-



Bosworth ruled his wife with rod of iron

ton Thomas said that, although the trial judge did not know about Mrs Bosworth's home life, lying in court demanded a heavy sentence and he could not release her immediately. But, having read statements from her friends about how she was influenced by her "Victorian, domineering, husband", he could cut the sentence.

The court was told that Mrs Bosworth jumped to her

husband's every command and he often humiliated her. Simon Reeve, for Mrs Bosworth, said she felt "totally betrayed" by her husband and had left his home in Beamsley, North Yorkshire.

Lord Justice Swinton Thomas said that the trial judge had sentenced the couple "on the basis that they were both involved". He said: "She was ruled with a rod of iron and she always had to obey." He said these statements allowed the appeal court to take a more lenient course than the trial judge.

Her husband was driving the Range Rover on September 4, 1994, when it hit a wall. He was twice the drink-driving limit. He failed in an attempt to persuade their passenger, Susan Jones, to lie about who was driving.

Bosworth comes from a wealthy landowning family and set up a caravan business, Caravans, in Ilkley in the mid-1960s. His future wife joined the firm as a secretary 20 years ago. He joined the local hunt and was appointed a magistrate in Skipton in 1990.

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Forecast of 4.4m new homes in next 20 years

# Gummer urged to stem the tide of urban sprawl

BY NICK NUTTALL  
ENVIRONMENT  
CORRESPONDENT

MORE THAN 14,000 acres of rural Cambridgeshire could disappear under new housing by 2016 unless more development is redirected towards the inner cities and derelict land, according to an official report for the Department of the Environment.

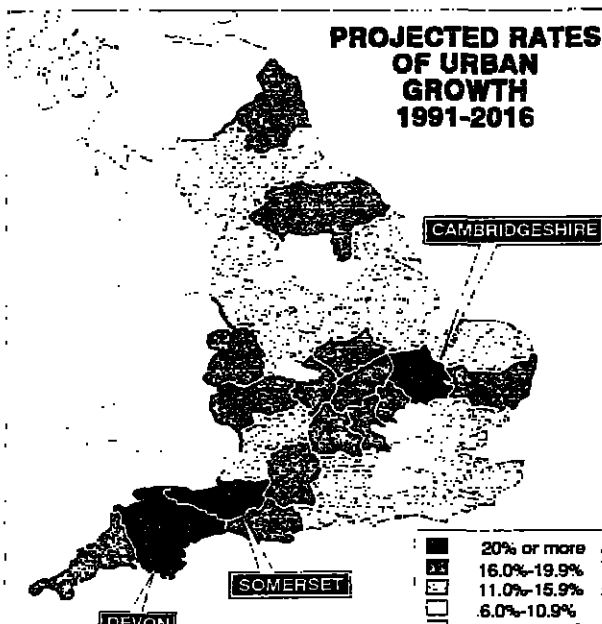
Devon, Somerset, Cornwall, Dorset and North Yorkshire would also suffer increasing rates of urban sprawl over the next 20 years as accommodation will be needed for 4.4 million new households. John Gummer, the Environment Secretary, responded to growing alarm in the countryside by promising to raise the Government's target for redirecting development towards the inner cities.

The Government has been working towards a target of 50 per cent of new housing being built on derelict or abandoned urban land. Mr Gummer promised yesterday to raise that figure to 60 per cent.

Issuing the Green Paper *Household Growth: Where Shall We Live?*, he said: "The possible 4.4 million households that might be formed is almost one million more than is currently being planned for. The increase would affect every part of England. We have, of course, made projections before. But over the past ten years they have always been underestimates."

His pledge is not legally binding and pressure groups accused him of underplaying the seriousness of the urbanisation threat. The Council for the Protection of Rural England had hoped to see a target of 70 per cent, or more than three million homes, being redirected into urban areas.

Tony Burton, the group's head of planning and natural resources, said that, even if the 60 per cent target was met, the number of new houses



**Rates of urban sprawl:**  
Avon 12.8 per cent; Bedfordshire 16.8; Berkshire 13.0; Buckinghamshire 17.2; Cambridgeshire 21; Cheshire 14.2; Cleveland 6.6; Cornwall 19.4; Cumbria 12; Derbyshire 12.9; Devon 20.7; Dorset 19.2; Durham 14.6; East Sussex 13.8; Essex 15.1; Gloucestershire 13.3; Hampshire 13.1; Hertfordshire 17.1; Herefordshire 9; Humberside 12.7; Isle of Wight 0.5; Kent 12.6; Lancashire 14.9; Leicester

18.9; Lincolnshire 13.7; Norfolk 12.4; North Yorkshire 19.1; Northamptonshire 18.7; Northumberland 15.6; Nottinghamshire 13.2; Oxfordshire 18.4; Shropshire 17.5; Somerset 20.8; Staffordshire 11.5; Suffolk 16.6; Surrey 5.9; Warwickshire 17.2; West Sussex 10.8; Wiltshire 18.6; Greater London 5; Greater Manchester 4.5; Merseyside 2.6; South Yorkshire 5.9; Tyne and Wear 6.9; West Midlands 2.6; West Yorkshire 9.9.

being built in the countryside would be double East Anglia's existing housing stock and the equivalent of ten cities the size of Bristol.

"It is a disappointingly cautious approach, given the startling new evidence of the threat to rural England from new housing development," he said. "The prospect of large areas of countryside disappearing demands a more robust policy." The group called on Mr Gummer to issue planning rules requiring councils to reuse urban land

and buildings before looking to rural sites.

A report by Peter Bibby, of Sheffield University, and John Shepherd, of Birbeck College London, for the Department of the Environment, says that the increase in the rate of urban sprawl in Cambridgeshire would be 21.3 per cent if present trends continued. The increase in Devon and Somerset would be between 20.7 per cent and 20.8 per cent.

Cornwall faces a 19.4 per cent increase, Dorset 19.2 per cent and North Yorkshire by

19.1 per cent. Hampshire and Greater London are forecast to accommodate more than 160,000 new households by 2016, followed by Kent, Essex and Cambridgeshire, with between 120,000 and 160,000.

The study says: "Relatively high rates of urban growth are projected for a continuous area stretching from Cornwall and Devon through Somerset, Dorset, Wiltshire, Oxfordshire and Buckinghamshire to Northamptonshire, Leicestershire, Cambridgeshire and Suffolk."

"The main area of relatively high rate of projected urban growth also extends westwards in an area from Warwickshire through Hereford and Worcester to Shropshire. Relatively high increases are also projected for North Yorkshire and Northumberland."

The rise in new households is projected to come from increasing family breakdowns and rises in the number of single people and the elderly. Mr Gummer urged all interested parties to join a four-month debate to find the least environmentally damaging ways of accommodating this.

Tony Struthers, of the Royal Town Planning Institute, said that trying to put more housing into cities might cause more harm than good. "We must not recreate the mistakes of the 1960s, where people were crammed into hastily and badly developed buildings. We do not want to build on the remaining green urban spaces, such as playing fields and parks."

He said the 60 per cent target figure was unreasonable and might be impractical without more spending on housing associations and infrastructure. He also said that much of the vacant inner-city and former industrial land was too contaminated for building. Developers could be liable for prosecution from householders.

Leading article, page 17



Princess Michael of Kent on her favourite horse Sprite minutes before it died

## Princess's horse collapses at hunt

PRINCESS Michael of Kent was said to be distressed but well after her favourite horse Sprite died while out hunting yesterday. The 19-year-old thoroughbred collapsed after a heart attack while out with the Beaufort Hunt at Chavenage in Gloucestershire. The princess had dismounted when

she felt the horse to be unwell. A spokeswoman said: "They were taking it very quietly this morning and the princess dismounted as soon as she realised there was a problem. She is 100 per cent well but obviously deeply distressed." The princess was seen looking tearful as she returned from the place

where Sprite died. She told one onlooker: "Perhaps it was the best way for him to go. I've had him for a long time." The pair had hunted together regularly for 15 seasons. Princess Michael was slightly hurt earlier this month when she fell from her horse while out hunting with the Beaufort.

## Maverick hopes confused voters will try to send in the clone

BY ANDREW PIERCE  
POLITICAL CORRESPONDENT

THE Health Minister Gerald Malone is facing an election challenge from a maverick candidate who has changed his name to Gerald Malone.

The new contender for the constituency of Winchester is an experienced campaigner. Under his original name, Richard Huggett, he caused an upset by winning 10,000 votes in Devon and Plymouth East at the 1994 Euro elections, standing as a Liberal Democrat. The Liberal Democrat was knocked into second place.

Yesterday, as lawyers at Conserva-

tive Central Office were studying his latest plan, Mr Malone, aged 52, said: "I am not a joker. Politics is far too important to leave to politicians like Mr Malone." His limited manifesto has a populist theme. For example, he would introduce a minimum wage for MPs.

The former teacher, a father of four, moved to Winchester last year and has set his sights on reducing or even overturning Mr Malone's 8,000 majority. He has gone to great lengths to ensure he cannot be successfully challenged in the courts, taking out a pension policy and supermarket loyalty cards in his newly assumed name. Winchester

City Council has confirmed that there is a Gerald Malone on its new electoral roll.

He has experience of the legal issues because the Liberal Democrats — beaten by only 700 votes in Devon — spent thousands of pounds unsuccessfully challenging the result in court.

This time, Mr Malone is expected to stand as the Conservative Party candidate, as opposed to Mr Malone, who was expected to be the Conservative Party candidate, which might now change to Conservative and Unionist candidate. Mr Malone said: "It will cause confusion for the defending candidate and help me. It

cost me a bus fare to Exeter library to discover I was legally within my right. I am legally watertight again."

"Malone is an imitator of those that have gone before him. I am an innovator. I am the clone version of Gerald Malone. If I cause confusion, and damage his prospects, too bad. Politics is not an easy game."

He will require 20 names on his nomination papers, but has already built up a small but loyal following through the readership of his Liberal Democrat magazine.

Hugh Thompson, the Conservative agent in Winchester, said: "There is no point denying it. This man will

be a nuisance, who will cause confusion, and not make our life any easier. We are consulting lawyers to see if the challenge is legal. We can do without it."

Rodney Sabine, the Liberal Democrat constituency chairman in Winchester, said: "We urged the Government to sort out the law on this. Maybe they will, now he is likely to hit them."

Mr Malone has a further problem. At the last election John Browne, a former Tory MP who had been passed over for Mr Malone, stood as an independent Tory and polled 3,000 votes. There is speculation that he may fight the seat again.



Malone: he insisted that he was not a joker

those circumstances had not changed for more than 20 years. The new code contained an "impressive guarantee" that MPs would be involved in policy formation. However, Mr Dewar admitted that he did want to see "good order" in the party. Under the new rules, the Chief Whip would have the power to reprimand MPs publicly instead of in private as at present.

The review team comprised Doug Hoyle, the PLP chairman; John Prescott, the deputy Labour leader; Mr Dewar; Marjorie Mowlam, the Shadow Northern Ireland Secretary; Bridget Prentice, a whip; and the MPs Andrew Bennett and John Garrett.

## Channel Tunnel passenger services face further delay

BY JONATHAN PRYNN, TRANSPORT CORRESPONDENT

LINGERING hopes that Channel Tunnel passenger services would restart this week were dashed yesterday when it emerged that the officials who can authorise the reopening will not meet until Friday at the earliest.

The tunnel remained closed to all but a limited freight container service while senior Eurotunnel officials prepared their presentation to the Channel Tunnel Safety Authority. The five-strong British delegation to the authority will fly to Paris today for a further round of meetings with Eurotunnel executives.

Eurotunnel will present its latest proposals tomorrow and on Thursday for how it would

carry out an evacuation of passengers during the closure of the damaged south tunnel. The authority will, in turn, make its recommendation to the Inter-Governmental Commission (IGC), the body of officials from the two Governments charged with overseeing safety in the tunnel, probably on Friday.

If the IGC accepts that Eurostar and Le Shuttle services are safe, they could resume next weekend, almost two weeks after the fire. Eurotunnel could restart without its express approval, but admits that to do so would be commercial suicide.

By next weekend, Eurotunnel and Eurostar will have

lost about £40 million in revenue, although both are fully insured. A spokesman for Eurostar said it would be able to recoup some of its losses from Eurotunnel under a complex compensation agreement, although there was no question of suing.

The spokesman said it was impossible to estimate the size of the payments. Eurostar is losing about £2 million a day in revenue.

Eurotunnel teams continued to retrieve damaged lorries yesterday, although the charred locomotive remained at the site of the fire. The company has been attacked by the Transport & General Workers Union over the dismissal of 12 security staff five days after the fire. The union said it was supporting a challenge to the dismissals at an industrial tribunal.

Shares in Eurotunnel lost more than 5 per cent of their value on the stock market yesterday, falling 5p to 81p. They have dropped by 10½p, or about 11 per cent, since the fire.

### TIMES EUROSTAR TICKET OFFER

Eurostar will honour all valid free ticket applications made under the current Times offer, despite the temporary suspension of services. It has agreed to make the offer valid for a further four months to August 31, 1997. As the authorities have not yet

announced the restart of Eurostar services, it is possible that availability of travel on free tickets before Christmas may be affected. Readers should continue to apply for tickets as announced. Full travel details will be included with the ticket voucher.

Letters, page 17

## Cattle cull pledge 'must be met'

BY MICHAEL HORNSBY

FARMERS challenged Douglas Hogg yesterday to honour the pledges made at the European Union summit in Florence last June for a selective cull of cattle.

In a joint statement, farmers' leaders urged the Agriculture Minister to proceed with a cull of up to 140,000 cattle

identified as being at most risk of developing "mad cow" disease. That is one of the main conditions that must be met before the EU will consider lifting the ban on British beef. The Government put plans for such a cull on hold at the end of September, saying it no longer considered it scientifically justified.

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"needed urgently to pave the way for negotiation in Brussels on the steps to lift the worldwide ban on British beef", the statement said.

But Mr Hogg said at the Royal Smithfield Show in London that he had yet to be convinced that a selective cull was justified or would achieve the goal of getting the embargo removed.

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By Jonathan Prynne, Transport Correspondent

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# French novelist denies copying Okri's Booker winner



Okri: "There appears to be a similarity. Scenes and characters sound as if they are too close"

BY DALYA ALJERGI  
AND BEN MACINTYRE

THE French publishers of Ben Okri's novel *The Famished Road* are scrutinising a book which won the Grand Prix du Roman de L'Académie Française this month, after similarities between the books were discovered.

According to a French radio station which compared them, two passages from *Les Honneurs Perdus*, by Calixthe Beyala, published last month, are said to bear striking similarities to *The Famished Road* — described by *The Times* as "a poetical magical fantasy about growing up in Nigeria". Journalist Pierre Assouline noted that in May Mme Beyala was found guilty of using elements from a novel by the American writer Howard Butler in an earlier work, *When I was five, I killed myself*. She was ordered to remove passages from it.

The Académie Française award is one of the most prestigious international literary awards and, at FF300,000 (£37,000), more valuable than the Booker Prize.

Mr Okri said yesterday: "If these allegations prove true, the real embarrassment and shame is to the Académie for not being aware of international literature, particularly something honoured by the Booker and which is well known throughout Europe. It has been translated into about 15 languages and won two major Italian prizes."

## THE FAMISHED ROAD

Ben Okri's *The Famished Road* is a story of Azaro, a "spirit child" in Nigeria. The thread is his father's ordeal to win back his wife's love. One passage reads: "His wife had ceased listening to him... she had started to drag him by tugging on his trousers. He was trying to free himself from her iron-grip, which beneath the trousers, had even gripped his genitals."

## LES HONNEURS PERDUS

Calixthe Beyala's *Les Honneurs Perdus* (The Lost Honours) is a story of an African girl in Paris, who tries to protect her honour. One passage reads: "His wife wasn't listening to him. She grabbed him by the trousers and dragged him. He tried to free himself from this iron-grip which, in addition to holding on to his trousers, was also gripping his testicles."

the international arena of the arts?" According to M Assouline, the earlier charges "should have caused the French academicians to be more circumspect". Mme Beyala, born in the Cameroons in 1961, claimed to be the victim of racial hatred and persecution and was reported to be considering legal action against her accusers. She said that left-wing journal-

ists in France were trying to discredit her. "This is malicious and spiteful racial hatred. I have had enough of it," she told *Le Figaro* newspaper. "Why are they trying to tarnish me? They are trying to destroy me: this is persecution!"

Mr Okri said: "I received a call from my German translator who lives in France. He heard it over the radio. There appears to be a disturbing similarity. Scenes and characters sound as if they are simply too close. I hope all this proves to be untrue and that there will be a happy outcome to all of this."

Mme Beyala said: "If you look, in any book, for a phrase which vaguely resembles another you can always find it. What I now know is that I annoy journalists on the left, since I'm not part of their club, being a woman and black." Although Mme Beyala's Académie Française award has been announced, the ceremony is not until December 5.

Paul Marsh, Mr Okri's agent for the translation rights of foreign editions, said: "At the moment, Ben's French publisher is reading the two books alongside one another, making a close textual comparison, to determine what's been going on. They hope to have completed that within 48 hours."

Mr Okri said: "I simply don't know about the intricacies of the political and literary scene in France. All I do know is that worrying allegations have been made, are being investigated, and I leave it now to the publishers and the lawyers to sort it out."

The Académie Française yesterday declined to comment on the accusations.



Calixthe: claims that she is the victim of racial hatred and persecution and may sue her accusers

## Clergy condemn plan for secret church hearings

BY RUTH GLEDHILL, RELIGION CORRESPONDENT

PLANS by the Church of England to hold secret tribunals for clerical offenders were yesterday criticised by clergy, who argued that justice had to be seen to be done.

Proposals to replace the Church's 900-year-old consistory court system with tribunals to carry out disciplinary hearings for clergy accused of misconduct are to be debated by the General Synod, which opened at Church House, Westminster, last night.

But at a preliminary meeting the plans to take the Church's traditionally open system of justice behind closed doors were challenged, even though eventual findings would be published.

The reforms were prompted primarily by the recent trials of the Dean of Lincoln, Dr Brandon Jackson, acquitted of misconduct with a former cathedral verger, and of the Rev Tom Tyler, convicted of adultery with a parishioner.

The Rev Robert Ellis, communications officer for the diocese of Lichfield, said openness was crucial. "What are we frightened of? ... The Church of England has got enough credit in the bank so when something does go wrong, we can ride the storm and by doing it in public we

are conveying the message that we are confident of what we are doing."

Prebendary Sam Philpott, Vicar of St Peter's, Plymouth, agreed. "If we are going to go for transparency and we make the claim that transparency is part of natural justice, then private hearings are not on the agenda."

The Rev Benjamin Hopkinson, from Middlesbrough, said there was a case for some hearings to be heard in private. "But I believe this report has got it the wrong way round. It needs to be that all hearings will be in public unless the tribunal head decides that for good reasons the hearing should be in private."

But Canon Alan Hawken, chairman of the working party responsible for the reforms, pleaded for support, claiming the present system was discredited. "There have been three consistory courts in 30 years. This does not mean that the clergy are as white as the driven snow. The reality is 99.99 per cent of all disciplinary cases in the last 30 years have taken place outside of the procedures laid down to deal with them," he said.

The report, *Under Authority*, will be discussed by the entire synod later this week.

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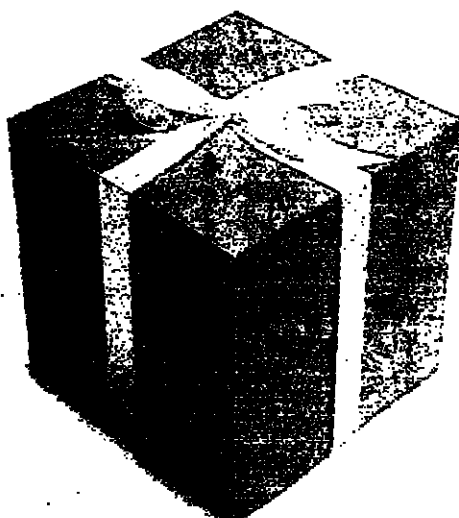
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# Slimmers told to abandon guilt and blame the genes

MIDDLE-AGED women who despair of losing weight may be blaming themselves unfairly. Scientists have found that genes have more influence on shape than diet or exercise. At least 60 per cent of body fat is determined by inherited factors, according to a study of 350 female twins.

The research, by the country's first research unit for adult diseases in twins, also found that genes played a major role in determining whether women were apple-shaped, carrying extra fat around the waist, or pear-shaped,

**■ New research has thrown a lifeline to middle-aged women who blame themselves when everything goes pear-shaped. Now they can blame their parents, Jeremy Laurance reports**

carrying it on the hips and thighs. The unit, based at Guy's & St Thomas' Hospital, southeast London, compared fat levels in 350 pairs of identical and non-identical twins.

Fat levels were measured by a body-composition scan, using low-

dose X-rays which gave an exact weight in grams of body fat, muscle and bone. The results showed that a woman's genetic inheritance had one and a half times as much influence on her shape as diet or exercise.

Previous studies, which have

estimated fat levels from measurements of height and weight, have suggested that genes determine between 5 per cent and 20 per cent of body fat. But Tim Spector, head of the unit, said these figures were inaccurate and could make people feel more guilty than they should.

"Our findings explain why some people can't lose weight easily. They are not being slothful or lazy. But the results don't offer an excuse to over-indulge in cream cakes," he said.

"It does mean that some people who are genetically predisposed to

put on weight will need to follow a more rigorous diet or exercise regime.

"Some people may go for a walk every day to keep their weight down while others will need to do two or three times that to get the same effect."

Apple-shaped women are at greater risk of heart disease and diabetes and therefore had a more urgent need to lose weight, Dr Spector said. The traditional pear-shaped form provided protection from these diseases.

"Our finding confirms what a lot

of people, even thin ones, know: that when they put on weight it goes to a particular place and they can't explain why except by looking at their parents."

The generally reassuring message is that pear-shaped fat is good even if it is not fashionable. It is better than a thin bottom and a fat tummy.

The study also found that women taking hormone replacement therapy tended to have less body fat, contrary to popular belief that HRT triggered weight gain.

The unit is now seeking 3,000

extra twin volunteers for a larger study to identify the genes involved. It will include men and younger women.

"If we can find the genes we may be able to use them in a diagnostic test before putting people on a diet or exercise programme," said Dr Spector. "We may eventually be able to find a treatment that could switch fat metabolism on or off."

Twins interested in joining the research programme should call 0990 770099. The unit is especially keen to recruit non-identical twins.



Lizzie Anders and Katie Hayes, who were saved, and Andy Meakins, missing

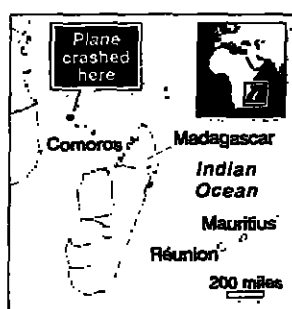
## Britons sang and read to spread calm before hijack plane crashed

REPORTS BY INIGO GILMORE IN ST DENIS, RÉUNION, AND EMMA WILKINS

THE two British women who survived the crash of the hijacked Ethiopian airliner off the Comoros Islands said yesterday that they were determined to continue their round-the-world trip.

"The old saying is that if you fall off a horse you must get straight back on it," Katie Hayes, 31, said from her hospital bed in St Denis, capital of Réunion. In the next bed was her friend, Lizzie Anders. The two women told how they had tried to help passengers who were panicking around them. "I still cannot believe I am alive," Miss Anders said. "I thought I was going to drown still strapped in my seat. Once in the water I had this terrible fear of being eaten by sharks."

Miss Anders, 32, a former record company marketing manager from Notting Hill,



west London, lay propped up in bed, her broken left leg wrapped in thick plaster and her arms covered with dark purple bruises and livid lacerations. Miss Hayes, a former marketing director for MTV Europe, was breathing with the aid of a respirator and had her neck in a collar. She suffered fractured ribs and a punctured lung. "My biggest fear is flying, and then this

happens. I just remember thinking to myself, 'I'm going to die'. And here we are."

The women, who were one month into a year-long trip, recalled how, 20 minutes after take-off, just after air hostesses had taken round the drinks trolleys, chaos broke out. "People were standing up and saying there was a man with a bomb," Miss Hayes said.

"One of the hijackers came on the intercom and said he had two bombs, but said he would not use them if their instructions were followed. Everyone was panicking. I started singing because I did not want to hear what they were saying."

"The guy next to us was in a terrible state," Miss Anders said. "We told each other we must remain calm and accept the situation." The women tried to remain calm by read-

ing their books. After about four hours the Ethiopian captain announced that they had run out of fuel and would have to crash-land. "People around us were screaming, running around; it was pandemonium," Miss Anders said. "Many people did not know how to put on their lifejackets or how to inflate them. I was telling them you must pull the red toggle and I was leaning across helping people." Miss Hayes said: "The crash happened very slowly, the plane skimmed the water and went up again before smashing down. Suddenly water was washing over my face. I struggled out of my seat and was thrashing around. I swallowed a lot of water and thought I was going to drown. I saw sunlight and started swimming towards it."

Miss Anders said the

doctors had denied the hijackers medical treatment once they had been identified. "It was understandable. Why should they have helped these guys while others around them were dying? There were some beautiful Kenyan children who were sitting near us who were terrified. I don't think they survived."

Two Ethiopians arrested in hospital were now believed to have been innocent passengers and may be released today, police said, after Yonas Mekuria, the co-pilot, said they had not been among the hijackers. Officials were trying to confirm that the men were passengers.

So far 78 bodies have been recovered while 42 people are missing. Two of the 55 people who survived the impact of the crash were injured in hospital yesterday.

## Grieving families mourn loved ones

FAMILIES of British passengers feared dead in the air crash spoke of their shock and grief yesterday as more bodies were recovered from the wreckage. Five Britons are still officially missing.

Tony Charters, 46, deputy director of Save the Children's operations in Ethiopia, was on the flight, his mother, Eileen, said. Mrs Charters, 73, from Plympton, Devon, said: "It is a complete waste. He was a devoted father and son and a modest man. Helping other people was his life's work." Mr Charters and his wife, Nadia, had two young children.

Save the Children said: "He was highly regarded and a talented, experienced and humane person. His death is a great loss."

Relatives of Andy Meakins, 43, an aid worker with Tear Fund, gathered at the family home at Beckenham, Kent, yesterday. Mr Meakins and his wife, Ruth, had three young children.

Brian Tetley, 61, who is believed to have been on the flight, was a British-born journalist who emigrated to Kenya in 1968. Kathleen Wilding, 87, was also confirmed as missing by the Foreign Office yesterday.

## Pilots to be briefed on Africa dangers

By HARVEY ELLIOTT  
AIR CORRESPONDENT

BRITISH airline pilots are to be briefed confidentially on security at airports in East Africa after the hijacking and crash of the Ethiopian airliner.

Details of security arrangements in Addis Ababa and other airports were being inserted last night into a video, warning pilots of hijack risks, which is shown as part of an annual refresher course for commercial pilots. It deals with a criminal attack on their aircraft. During the one-day course, Home Office officials review breaches of security and problems that have occurred anywhere in the previous 12 months and give specific warnings about new danger spots.

The security of flights from Ethiopia as well as neighbouring Sudan and other areas of tension in Africa has now come under scrutiny.

The pilot of the Ethiopian jet that crashed off the Comoros appears to have done all he could to land his hijacked jet safely. Only a tipping of the wing—possibly, according to other pilots, because of a struggle in the cockpit—as the aircraft came within a few feet of the sea prevented a conventional ditching and the saving of many lives.

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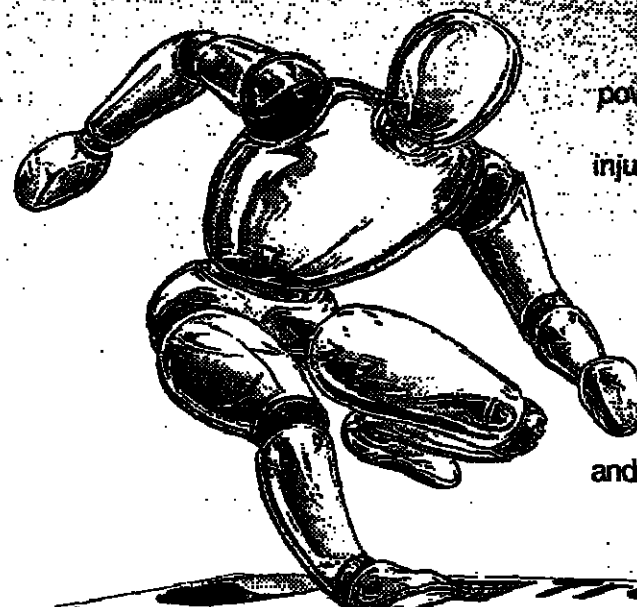
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# Night sky 'will be blotted out by millennium lights'

By NICK NUTTALL, ENVIRONMENT CORRESPONDENT

ASTRONOMERS complained yesterday that Millennium Commission plans to illuminate hundreds of buildings will intensify light pollution and blot out the night sky for millions of people.

The children of the next millennium are being condemned to never seeing the stars, John Mason of the British Astronomical Society told a conference in London yesterday. Astronomers claim the commission is ignoring growing calls for the skies to remain dark.

The projects would use lottery money to light up bridges, parks, historic buildings, docks, office blocks and more than 400 churches, many in rural areas. Dr Mason said the commission should withdraw funding.

"We are going to be lighting up the whole place like a Christmas tree. The commission is handing out money for floodlighting schemes left, right and centre. We need much more policing of this. It is wasteful in terms of energy and money."

Dr Mason said Britain was

now the third-most light-polluted country in Europe after The Netherlands and Belgium, which are more densely populated. Most of England is affected, with only places such as Exmoor and Dartmoor unspoiled. Even in East Anglia many people cannot get a clear view of the night sky because of light scattered by security lights or driving ranges.

Richard Simmonds, chairman of the Countryside Commission, said the North of England, the Peak District, the Scottish Highlands and large parts of Wales were also still relatively unpolluted.

But Mr Simmonds said for most people the night sky had been stolen. "I live 30 miles from Hyde Park Corner and can read the small print of my credit card in my back garden at night," he said.

Graham Jukes, director of professional services at the Chartered Institute of Environmental Health, said light pollution was also contributing to stress. Between 1993 and 1996 the number of complaints to local authorities about in-

trusive lighting has risen by 44 per cent.

Dr Mason said some organisations had responded to the problem in the past two years. The Highways Agency had begun to install high sodium lights on motorways and major roads. These direct light downwards rather than allowing it to disperse into the sky.

Around 22 councils have drafted planning guidance to restrict badly designed lighting in new developments. But, said Dr Mason, many other councils had done nothing.

He attacked the unregulated growth in sports facilities, such as floodlit golf driving ranges, and in security and decorative lighting in gardens and outside houses, supermarkets and public buildings.

Mr Simmonds said guidelines should be issued to ensure lights were angled downwards. Light manufacturers and stores needed to educate homeowners through leaflets and instructions on environmentally friendly fittings and installation.

The commission is to publish a good-practice guide on

lighting in the countryside in a forthcoming White Paper.

"People should learn that they do not necessarily need to buy the biggest lamp," said Mr Simmonds.

Mike Simpson, of the Institute of Lighting Engineers, said yesterday there was no technological barrier to cutting light pollution, but suitable external units cost more. Sports centres could be lit by smaller lights which reduced diffusion and aimed 45 per cent of light, rather than 30 per cent, at the ground. They would increase the cost of a small centre by 15 per cent.

Mr Simpson said it would prove costly to replace overnight the six million street lights in Britain with units that polluted less. However, many were now 40 years old and, apart from being in danger of collapse, were inefficient and expensive to run.

John Gummer, the Environment Secretary, told the conference that he was prepared to look at the planning laws to see if the Government could crack down on poor lighting and installation.



Light pollution is clear in a satellite image of Europe. The red lights are oil wells

## Cluedo call to discover the man whodunnit

By ALAN HAMILTON

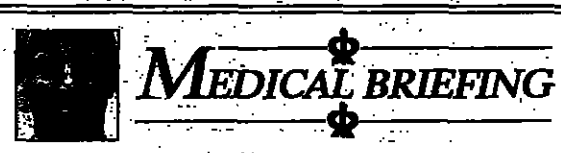
CLUEDO fans were involved in a new mystery yesterday: nobody seems to know what has happened to the man who invented the detective board game.

Anthony Pratt, a solicitors' clerk, created the thoroughly English amusement in 1948. Now the makers, Waddingtons, are trying to trace him to present him with a commemorative trophy in celebrations to mark the 50th anniversary.

However, Mr Pratt sold his copyright to the company in the 1950s and they have had no contact since the world championships ten years ago, when he was living in Birmingham. Mr Pratt would now be aged 93.

Clare Sawkins of Waddingtons said the company wanted to honour the inventor or an immediate relative. Cluedo, with its miniature murder weapons and cast list of suspects, is the company's best-selling game after Monopoly. Three million sets are still sold each year in a total of 23 countries.

## Hope for those off their oats



THOUSANDS of people who have avoided all foods containing oats may in future be able to enjoy porridge, breakfast cereals, flapjacks or herding rolled in oats.

It has been supposed that patients with coeliac disease suffered sensitivity to all cereals other than maize, but a recent small trial reported in the *British Medical Journal* found that none with coeliac disease reacted unfavourably to oats. In some cases of coeliac disease the reaction to wheat can be so severe that even a communion wafer can cause days of illness. Cereals contain a protein, gluten, which in those who have a genetic vulnerability to it causes an immune response which damages the lining of the small intestine, preventing the absorption of fats and other essential nutrients. In children who develop coeliac disease — known also as gluten enteropathy — symptoms are obvious: abdominal pain, diarrhoea, anaemia and failure to thrive. In adults, the onset is sometimes more insidious, with anaemia, weight loss and neurological symptoms being the first signs of trouble. Whatever the presentation, there are changes in the blood count and microscopic appearance of the lining in the small intestine.

The trial reported in the *BMJ* was carried out by doctors from St James's and St Vincent's hospitals in Dublin in co-operation with the United States Department of Agriculture. In Ireland, one in 300 people suffers from coeliac disease, the highest incidence in the world.

The Irish doctors used ten patients with coeliac disease, three with severe sensitivity. None suffered any ill effects from the oats, and after the experiment were still gluten sensitive. The results confirm a report last year in the *New England Journal of Medicine*, but in this instance the oats were fed only to patients known to have a mild sensitivity to cereals. People with coeliac disease should consult their own doctors before starting to eat their oat cakes.

DR THOMAS STUTTAFORD

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\*Source: IFOW, "Seal Report", *Access and Seal Harvesting in Asia, Canada, May 21, 1996.*

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# Euro judges back British ban on blasphemous film

FROM FRANCES GIBB IN STRASBOURG

BRITAIN won the rare backing of European human rights judges yesterday, for using its ancient blasphemy laws to ban an erotic film about a 16th-century nun.

The ruling by the European Court of Human Rights in Strasbourg coincided with a visit by the Lord Chancellor, Lord Mackay of Clashfern, who is lobbying for reforms to the way the court works. His visit comes at the request of cabinet colleagues after a string of high-profile rulings against Britain.

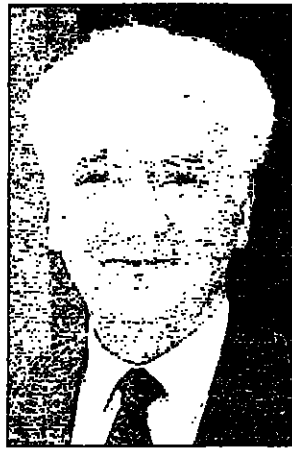
But the timing of yesterday's ruling, and the language of the judgment, appeared to send a signal that the court was anxious to keep Britain outside after calls from some European states earlier this year for the Government to pull out of the court's jurisdiction. It may also mark a new approach that could see fewer rulings against the Government.

The court decided by seven votes to two that a ban in 1989 on a 20-minute film, *Visions of Ecstasy*, by the British Board of Film Classification did not breach freedom of expression

as guaranteed by the European Convention on Human Rights. The film depicted St Teresa of Avila in erotic scenes with the body of the crucified Christ. The court agreed that such censorship was justified under 12th-century blasphemy laws to avoid shocking Christians. The ruling overturns a previous decision, by 14 to two, of the European Commission of Human Rights, which is the first filter for human rights cases.

The ruling seemed to meet Lord Mackay's main concern that European judges should take more account of local traditions and leave more issues to be determined locally. Blasphemy, the court said, had no precise legal definition. "National authorities must be afforded a degree of flexibility in assessing whether particular facts fall within its definition." It added that the video market was particularly difficult to control. "National authorities are better placed than the European Court to make an assessment as to a video's likely impact."

Lawyers and the maker of



Mackay: lobbying for reforms to the court

the film, Nigel Wingrove, speculated that their case appeared to have fallen foul of a changed political climate at Strasbourg. Mr Wingrove said: "Obviously I am disappointed. But I was told the decision was likely to go against me because it has become very political now."

He criticised the ruling for effectively reviving blasphemy laws. Either such laws should be extended to cover other religions, or they should be

scrapped. He said that he had not intended to make a blasphemous film. The Church of England had never called for a ban, nor for his prosecution. "It is only the board which takes this view and they are not the people who should be defining blasphemy laws. This should be put before a jury and not decided by civil servants in Soho Square."

His solicitor, Mark Stephens, said that the ruling was very worrying and its timing bizarre. The judges had clearly taken the Government's concerns into account, he said, adding that their decision was out of line with previous judgments.

Lord Mackay is pressing his case for reforms to the court, based firstly on selecting judges with greater practical experience. Secondly, he wants more heed paid to British circumstances and traditions. Thirdly, he wants changes to the fact-finding procedures, under which the court would indicate its main areas of concern before any hearing, enabling the Government to address them.

Law Report, page 21



*Visions of Ecstasy* depicts St Teresa of Avila in erotic scenes with the crucified Christ. The court agreed that a ban was justified, to avoid offending Christians

## NEWS IN BRIEF

### Six still unwell after food poisoning

A child and five adults are still giving cause for concern after an outbreak of food poisoning possibly linked to meat supplied by the Scottish Butcher of the Year, John Barr & Son in Wishaw, North Lanarkshire. The company has stopped selling cooked meat.

About 70 people have become ill since Friday and 16 have been found to have the bacterium *E. coli* 0157. The results of blood tests in suspected cases may not be known for several days.

### Nickell lie test

Colin Stagg, the man acquitted of murdering Rachel Nickell on Wimbledon Common, passed a lie-detector test on the case, carried out for the ITV programme *The Cook Report*. But he refused to be given "truth" drugs or to be subjected to hypnosis.

### Action ended

A woman who last week lost legal aid in her fight to win compensation for her disabled daughter has abandoned her action. Wendy Rallison, from Somerset, had accused hospital staff of negligence during Tanya's delivery in March 1978.

### Slow motion

The use of speed cameras at major roadworks is to be extended after trials at motorway and trunk roads showed a significant reduction in accidents. Cameras are to be installed on the A12 on the Essex-Suffolk border, and other schemes will follow.

### MP is top dog

A Tory backbencher has received an award for outstanding services for the benefit of dogs. Roger Gale, MP for North Thanet, and chairman of the all-party Animal Welfare Group, won the Council of Pro Dogs "Proddy" award for 1996.

### Boy's ordeal

A boy aged three spent two days alone with the body of his mother after she died at her home in Ipswich. He was taken into care by social services after police found him at the weekend. The 26-year-old woman's death is believed to be drug-related.

### Birthday ruined

A woman slipped and broke her leg as she ran around an old people's home on her 100th birthday. Lizzie Hartshorn is in hospital after the accident at West Hallam, Derbyshire. A member of the home's staff said: "She was simply over-excited."

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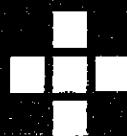
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MPs demand assurances that EMU regulations will not apply to countries that choose to stay out

# Clarke challenged over promise on currency talks

By Alice Thomson and James Landale

GORDON BROWN told the Chancellor yesterday that MPs from all sides of the Commons were "absolutely right" to unite in demanding a debate this week on preparations for a single currency.

Mr Brown, the Shadow Chancellor, challenged Kenneth Clarke's claim that nothing of substance would be decided at the meeting of European finance ministers on Monday when he had said in a letter to the chairman of the European Select Committee: "Political agreement is likely on December 2."

He continued: "Surely this is a matter where we should hear the Government's position, where the views of Members of the House should be heard and where we should see the paper that is now before the European ministers. There is now only one reason for denying the debate that the House and the country want — it is for reasons of internal Tory party management."

Tom King (C, Bridgewater) said that Britain had historically had the closest interest in the performance of European economies. "It would be grossly irresponsible on your part and on the Government's part if we didn't see, if the euro is going to be set up, that it is set up on a basis that actually works."

The former Chancellor Norman Lamont (C, Kingston-upon-Thames) agreed with Mr Clarke's interpretation of

the regulations that Britain could not be fined for high budget deficits if it remained outside monetary union. But he added that the fines and scrutiny provisions would apply if Britain did join.

"This House is entitled to debate the level of the fines, the flexibility and inflexibility of the system — that has not been debated adequately so far until this afternoon," he said. "If it had been, this needless row would have been avoided."

Peter Shore (Lab, Bethnal Green and Stepney) said Mr Clarke's confirmation that he would place a "scrutiny reserve" on any political agreement at the December 2 meeting of European finance ministers did not go far enough. "Is he really saying to us that he is prepared in the future to have a Budget made for him in Brussels rather than here in London? I find that absolutely shameful."

Mr Shore also asked whether sterling would have to shadow the euro even if Britain remained outside a single currency.

Mr Clarke said that there was no question of the pound shadowing the euro. "Sterling is now a floating currency. I have no intention of shadowing any currency as long as it remains floating. It would be damaging and futile to do so."

John Redwood (C, Wokingham) urged the Chancellor to ensure Britain had written

assurances that the regulations would not apply to countries that did not join a single currency. "Would you ensure that such words are written clearly into the face of our regulations so there can be no more legal doubt? Our record before the European Court of Justice is very disappointing and there are different legal views about the current loose wording."

Mr Clarke said that ministers, not the European Commission, made the final decision on these matters.

Sir Terence Higgins (C, Worthing), a former Treasury minister, supported Mr Clarke's involvement in talks on monetary union. "If the Government were now to rule out membership of EMU in the next Parliament, it is likely you would find you were excluded from the discussions, or the real decisions would take place elsewhere."

Bill Cash (C, Stafford) asked whether Mr Clarke would veto the regulations unless Britain had an explicit guarantee that it would be excluded from them outside a currency bloc.

David Heathcoat-Amory (C, Wells), the Euro-sceptic who resigned as a minister over the Government's position on Europe, told Mr Clarke: "This unnecessary row could have been resolved much earlier by the granting of a full debate about an issue which the Prime Minister said



Kenneth Clarke, who promised to seek copper-bottomed guarantees that Brussels will not interfere with Britain's economy if it keeps the pound

himself is the most important decision facing the country."

He asked Mr Clarke if he thought some of the EU proposals were intended to apply to non-EMU members. If that was the case, he urged the Chancellor not to agree to any further strengthening or widening of Britain's obligations should it choose not to join.

Tony Benn (Lab, Chesterfield) said Mr Clarke had misunderstood the real issue at stake. "By agreeing in principle to what are called lines, which is really the taxation of this country by the European authorities, you are transferring in advance the power to tax this country from the Treasury, which you head and from which you can be removed, to people who are not accountable to Parliament," he said.

Leading article, page 17

## 'The stability pact makes good sense for Britain, whether we are in or out'

KENNETH CLARKE made a statement to the Commons yesterday to address MPs' concerns about regulations governing Britain's possible membership of a single currency. He said there had been misleading claims about the regulations, which included a stability pact designed to help to ensure that participants in economic and monetary union (EMU) did not run excessive deficits.

"I am strongly in favour of full parliamentary debate and scrutiny of these important issues. That scrutiny must be properly completed before any decisions are taken which might have binding effect on this country. What the whole House must want is an informed debate at the right time rather than one based on inaccuracies and innuendo."

"First, the opt-out from EMU that the

Prime Minister negotiated at Maastricht remains entirely unaffected. Secondly, everything contained in the EU stability pact — including fines on 'ins' — derives from and was foreshadowed in the Maastricht treaty. Thirdly, unless we join Stage Three of the EMU, we will retain, as now, control of domestic economic policy. We would still have our existing commitment to endeavour to avoid an excessive deficit but there is no question of any fines or other sanctions being imposed on us for running an excessive deficit."

"I know that some colleagues have raised the possibility that Recital 13 of the draft regulation strengthening surveillance could be used to impose policy obligations or sanctions that can be binding on member states. This interpretation is incorrect. Article 103(5) can only be used to impose detailed rules as to procedure. Any recommendations that might be made under Article 103(4) are non-binding."

"Finally, the stability pact makes good economic sense for the UK and for Europe as a means of making sure that EMU is soundly based, whether we are in or out of a single currency."

"If we are in, we need to ensure that no other member of EMU falls into excessive deficit or debt crisis which might tend to drive up interest rates. If we are out, we need the Euro-zone to be stable as the British economy is more successful when the economies of our major customers are successful. That is why I am negotiating so toughly in Ecofin in British interests to get the details right."

## Labour would have to learn about destructive force of Europe

Europe has had a uniquely destructive impact on British politics — aggravating party divisions as no other issue does. Try as they might, the Tories can never sustain a common line for long. The hard core of Tory sceptics always fear they are about to be sold out by pro-European ministers. There were always going to be differences over the single currency regulations, but the scale and intensity of the latest row were unnecessary, inflamed by the suspicions of the sceptics and the Government's mishandling of the Commons.

Kenneth Clarke bought time

yesterday with a skilful performance that should defuse the issue for Budget week, though perhaps only until the meeting of European finance ministers next Monday. Only occasionally did his disdain for his sceptic critics show, as when he complained about the impossibility of permanent parliamentary debate over Britain's negotiating position and warned that "occasional parliamentary hysteria was not in the national interest".

Otherwise, he offered reassurance. No binding decisions would be taken until after the House had held a debate and taken the necessary vote. Mr Clarke's view about



the impact on Britain was even endorsed by Norman Lamont, who, after all, negotiated the terms of the opt-out in the Maastricht treaty. Mr Lamont said the real issue is not whether Britain's opt-out might be eroded but the fines and sanctions involved in any monetary union. Mr Clarke offered detailed explanations about the implications. He emphasised the desirability of the Euro-zone being stable without excessive deficits or high interest rates whether Britain

joins or stays out: "the British economy is more successful when the economies of our major customers are successful".

Mr Clarke was firm in answering the worries of sceptics that the stability pact will include convergence programmes which would apply to non-joiners like Britain even if we stay outside monetary union. They have argued that Recital 13 of the draft regulation strengthening surveillance could be used to impose policy obligations or sanctions that can be binding on all member states. Mr Clarke maintained that a country would only be obliged to provide and share information about its economic policies and performance — in effect, formalising what already happens. Any recommendations that might be made under article 103 (4) are non-binding. In a letter to MPs, Mr Clarke said that "if any further attempt were made concerning convergence among the outs to include provisions affecting the freedom of action of states in respect of their economic policies, as opposed to simply the provision of information, we would not be able to agree it".

That is the crux of the row. If that was not clear enough, Mr Clarke was conciliatory in response to

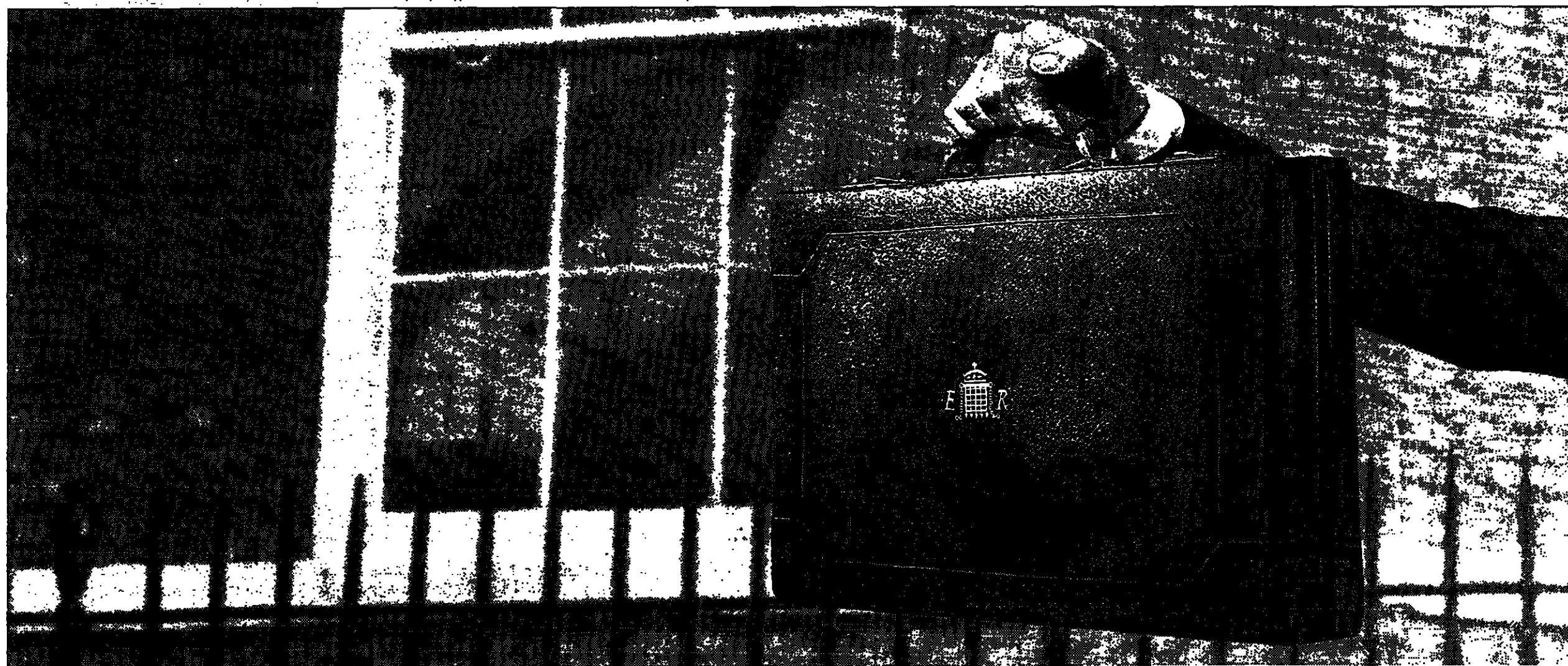
John Redwood's request that the legal wording of the regulations should make it explicit that any sanctions do not apply to non-joiners. There are a number of loose ends revealed by the documents leaked over the weekend, notably over the monitoring of exchange rate movements. The next test will come after the finance ministers' meeting in a week.

All this is really a sideshow. Mr Clarke's most revealing comment was that he would be against joining monetary union if the convergence criteria were fudged since this would put intolerable strains on the system. That is also the key

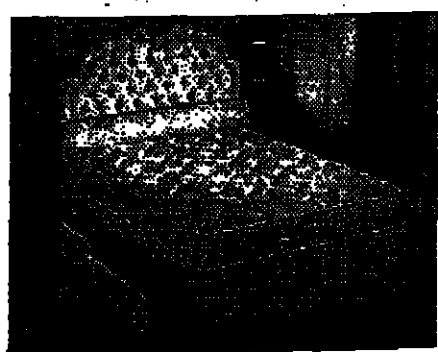
initial test for a Blair government. There is no point in Britain joining if any monetary union is going to be shaky from the start.

The furore of the past few days has been a gift for Labour which Gordon Brown exploited in the Commons yesterday. Opposition is about positioning and words, but government is harder. The shrewder members of the Shadow Cabinet well understand the strains that a Labour government would face over a single currency. They would quickly learn about the destructive force of Europe.

PETER RIDDELL



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# French fuel crisis grows as drivers' talks grind to halt

FROM BEN MACINTYRE AND SUSAN BELL IN PARIS

THE most serious bout of industrial unrest in France since last winter's crippling 24-day transport strike worsened last night after a 14-hour negotiating session between union leaders and haulage bosses ended in mutual recriminations and deadlock.

More than a dozen fuel depots in the south and west have been sealed off by lorries and many petrol stations ran out of supplies on the eighth day of the protest by lorry drivers. "Most refineries are blocked," a spokesman for the French oil industry said.

The French drivers are demanding higher wages, shorter working hours and retirement at 55 rather than 60. The Government-appointed mediator, Roger Cros, arranged more talks with Alain Juppé, the Prime Minister, urged the two sides to reach an agreement quickly. "The Government has done everything it can to get these negotiations moving. I'm following the talks hour by hour," M Juppé said.

Bordeaux, the southwestern city where M Juppé is mayor, has been the target of a particularly intensive blockade and most petrol stations in the city are closed.

Encouraged by opinion polls showing widespread public support in spite of the disruption, the French drivers vowed to intensify the protest. On Sunday the traffic information service reported that 60 major roads were partially or completely blocked, but by last night that figure had risen to 160, with countless smaller roads also affected. Lorries were stopped at five frontier crossings between France and Germany and the drivers also prevented access to industrial

Copenhagen: About 600 Danish lorry drivers tried yesterday to disrupt traffic on the motorway linking Denmark and Germany to protest over taxes. A police spokesman said: "Only the actual Customs area at the Padborg checkpoint is affected. The bulk of the traffic is flowing normally." He said talks were under way with the Danish tax ministry. (Reuters)

zones and fuel depots in Le Havre and Rouen.

Production at the Renault car factory at Douai in northern France ground to a halt through lack of parts, and roads leading to and from the vast Rungis food market near Paris were blocked as drivers threatened to mount a full-scale blockade of the city.

Traffic on the main motorway north of the capital near Charles de Gaulle airport was cut to a single lane, causing huge tailbacks. A farmer attempted to break through a barricade in Valmont, Normandy, seriously injuring two lorry drivers.

Roger Poletti, head of the transport division of the powerful Force Ouvrière union, last night called on drivers to maintain the pressure. "We have obtained nothing," M Poletti said.

M Poletti was nicknamed "the Red Devil" by the British media for his role in organising the massive hauliers' strike of 1992 in which France was paralysed for ten days as lorry drivers blocked motorways in protest at a new points system for driving licences.

Before mounting the pres-

ent strike, M Poletti travelled around the country visiting lorry drivers and local union representatives. "After talking to these people it was obvious we had to do something," he said.

"We wanted to negotiate but, when it became clear that it was no longer possible, we had to take action in order to improve welfare conditions."

The union which M Poletti represents is known to be relatively moderate and its involvement at this level in the blockades is a clear signal to the authorities of the seriousness of the hauliers' action and the widespread support it enjoys.

Force Ouvrière was jointly responsible for spearheading last year's transport strike and obviously does not intend to be excluded from the latest fight for better pay and working conditions throughout the industry.

Born in Corsica, M Poletti, 57, served as a navigator in the French Air Force from 1958 to 1963. He joined the Paris Métro as a ticket puncher in 1964 and was soon a union activist. His fighting spirit is in his blood. "Both my parents were militant unionists. I was so full of admiration for what they did, that I knew I must also become involved," he said.

His promotion to driver, and eventually supervisor, matched his ascent through union ranks, culminating with his election to his present post in 1992. "Decidedly, I am a terrible man," he says, referring to his old nickname with a chuckle. Although a self-avowed "man of the Left" he says he is neither communist, nor socialist, but describes himself as a humanist.



Lorries line up at Calais yesterday as French drivers intensified their blockade of roads to the ferry terminals after marathon talks to end the strike collapsed

## Britons stuck in Calais 'being driven mad' in queues

By Bill Frost

BRITISH drivers stranded in Calais gave a warning that perishable cargoes would soon rot if the dispute dragged on. Grudging admiration for the solidarity shown by French lorry drivers was last night turning to open anger at the blockade.

As queues grew longer and tempers frayed, the Freight Transport

Association wrote to John Major, demanding that he intervene personally to end "this wholly unlawful behaviour" by the French. The dispute has already cost British hauliers £3 million.

Tired and angry, British drivers briefly blocked the port to private cars before calling off the protest. "Their tempers just boiled over ... Who can blame them?" said Kenny,

who is carrying fruit. "As I look out of my cab window I see the French piercing oil drums ready to light bonfires so they keep warm through the night. They have us in a stranglehold and it is driving us all mad."

Martin Steele, carrying a load of oranges from Spain, has been in France for eight days; he should have been home in Grimsby last week. His 38-tonne vehicle is at the head of a

line of lorries stretching four miles back to a main route into the port.

"I brought over a load of sheep carcasses to be delivered across northern Spain. The blockade began to bite around Bordeaux. I saw a picket at a motorway toll booth and did a U-turn. Illegal and dangerous perhaps, but better than being stranded there forever and a day."

Over the next 48 hours Mr Steele,

33, took back roads to avoid the blockade, made his deliveries and headed back for Calais. "I arrived just as they decided to step up their action. Soon, I will run low on fuel and be unable to power the refrigeration unit. That is when the cargo begins to perish." He added: "We had grudging respect for this lot ... the way they stick together. Now though, we are just sick of them."

## Simpson caught out by phone messages

FROM GILES WHITTELL IN LOS ANGELES

WITHIN minutes of resuming the witness stand yesterday, O.J. Simpson was caught apparently telling a lie about his activities on the night of the murders of Nicole Brown Simpson, his former wife, and her friend Ronald Goldman.

After a tense cross-examination on Friday about his marriage, Mr Simpson faced tough cross-examination yesterday on 78 crucial minutes during which the murders happened and his whereabouts are unaccounted for. Asked about his phone calls in the hours before that "window of opportunity" on June 12, 1994, a sombre Mr Simpson denied trying to retrieve messages from his then girlfriend, Paula Barbieri. He was shown printed records showing he twice called his message centre and asked if Ms Barbieri had tried to contact him.

"The reason you were trying to get in touch with her was because you were feeling alone, true?" Daniel Petrocelli, the Goldman family's lawyer, asked, picking up a theme from Friday, when he presented a record of an eight-minute message from Ms Barbieri to Mr Simpson ending their relationship the day before the murders. The break-up, amid the wreckage of his 17-year marriage to Nicole, sent Mr Simpson into a murderous frenzy, the Goldman legal team claims.

Mr Simpson rejected the idea that he was lonely that night, or that he blamed his former wife for his mood. Mr Petrocelli's questioning moved towards the time of the murders and, in a tense face-to-face encounter in the closing minutes of Friday's evidence, the lawyer accused Mr Simpson of carrying them out. Mr Simpson has given a variety of alibis in media interviews and a lengthy pre-trial deposition.

Leo Tyrrell, a civil rights lawyer who has become Mr Simpson's unofficial media spokesman, has pointed out that in a civil trial, "we only need four votes" from the jury to avoid responsibility for the killing. Time magazine reported that Mr Simpson is nearly bankrupt and broods over the trial, but he remains a consummate performer.

## 70,000 in Milosevic protest

Belgrade: As protests entered a second week, a 70,000-strong crowd demonstrated on the Serbian capital's streets in a nationwide protest over attempts to annul opposition successes in municipal elections (Dessa Trevisan writes).

Western countries, including the United States, Britain and France, have expressed dismay at the way the ruling Socialist Party of President Milosevic handled the elections. The opposition is calling for civil disobedience.

### Libyan threat

Madrid: Libya may be able to attack Europe with nuclear weapons by 2006, El Mundo reported, apparently quoting secret Nato documents. Also listed as threats were Syria, Iraq, Iran and Russia.

### Hotel fire kills 3

New York: Three people died and 33 were hurt when fire swept through the residential Hamilton Hotel in Harlem. More than 150 firefighters tackled the blaze, which broke out on the fourth floor. (AP)

### Aboriginal toll

Sydney: A report into aboriginal deaths in custody disclosed that 96 died between 1989 and 1996, still a higher rate than white prisoners (Roger Maynard writes). Twenty-two died last year.

### American 'free'

Tokyo: Carl Hunziker, an American who has been held in North Korea for three months on spying charges, is to be released and flown home, the United States Embassy here said. (Reuters)

### Death plunge

New York: A boy aged two and his seven-year-old sister were critical in hospital after they were pushed off the top of a 14-storey building by their mother. The mother and another son were killed. (AP)

### New beginning

New York: Adam and Eve may have been "some other form" than human, Cardinal John O'Connor said. Last month the Pope called evolution "more than just a hypothesis". (AP)

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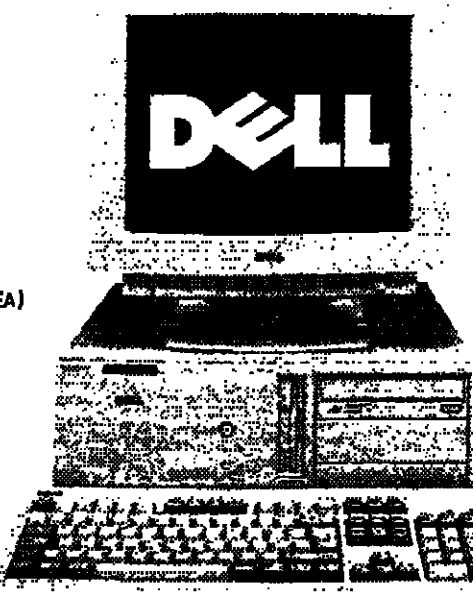
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# Hitler adopted anti-Semitism 'merely as stepping-stone to power'

THE young Adolf Hitler had Jewish friends and developed a fierce anti-Semitic attitude only because it caught the popular mood and allowed him to build a mass movement. That is the conclusion of Brigitte Hamann, a Viennese academic who has triggered a new historical controversy about Hitler's personal responsibility for the Holocaust.

Dr Hamann's scrupulous paper chase through Austrian and German archives showed Hitler respected and later protected the Jewish family doctor who treated his mother's cancer, that he had Jewish friends in his working man's hostel in Vienna, and that he

The new findings of an Austrian historian support the "functionalist" theory behind the Holocaust, Roger Boyes writes from Bonn

admired Jewish actors, actresses and composers.

The Austrian historian argues that Hitler's anti-Semitism was filtered through the newspapers and the political rhetoric of the day. He saw how populists such as Karl Lueger, the Mayor of Vienna, manipulated the fears about east European Jews to whip up Austrian emotions and mobilise support. Hitler's hatred of Jews, to sum-

rise Dr Hamann's theories crudely, was nothing personal — just a stepping-stone to power.

The book, *Hitler's Vienna* (Piper Verlag, Munich), has thrown another spanner into the never-ending Holocaust debate between, broadly, "intentionalists" and "functionalists".

For "intentionalists" there is a direct relation between Hitler's biography and his ideology, and a

direct link between his ideology and Nazi policy. The British historian Gerald Fleming, for example, sees a straight line between Hitler's observations as a 15-year-old to a school colleague while passing a synagogue — "that does not belong here in Linz" — and the implicit, unwritten order to annihilate Jews decades later.

The "functionalists", working from the fact that there was no direct Hitler order for destroying the Jews, explained the Holocaust in terms of developing competitions between different Nazi institutions. Sometimes the functionalist thesis plays down Hitler's individual responsibility.

All Hitler biographers search for the roots of his anti-Semitism. Some, noting Hitler was close to his mother, claim he took against the family doctor, Eduard Bloch. But Dr Hamann has been through Dr Bloch's cash receipts and hospital records and concludes that the Jewish doctor significantly undercharged the family.

Even after his mother's death, Hitler continued to write Christmas cards to the doctor and sent him a picture. After Austria's annexation in 1938, Dr Bloch asked Hitler for help and the Gestapo was told to protect him.

Dr Hamann found two versions of the memoirs of Hitler's

schoolmate, August Kubitzek — a key source for historians who argue that Hitler hated Jews from adolescence. The second version, published after the Second World War, had added material about anti-Semitism, presumably at the urging of the publisher.

The Austrian historian has also found enough documentation to demonstrate that Hitler was not rejected by Jewish professors at the Vienna arts academy, which was also regarded by some biographers as a probable motive for anti-Semitism. Another theory — that he caught syphilis from a Jewish prostitute in Vienna — is dismissed, too.

Professor Hans Mommsen, one of the most respected historians of the "functionalist" school, said Dr Hamann's work "demands a new evaluation of Hitler's role and forces his biographers to regard Hitler as an object and not just as a subject of political events".

Having talked repeatedly about the need to eliminate the Jews, Hitler did not connect his words with actions. "The book by Brigitte Hamann showed that Hitler lived in an ideological world that was adrift from reality. In 1944 he quoted a number of Jews living in Germany as if the number had not changed since 1938, as if the Holocaust had never happened."

## Spanish leader bolsters Britain's European image

FROM TUNKU VARADARAJAN IN MADRID

A SINGLE European currency "would not be desirable or convenient" without Britain's full participation, José María Aznar, the Spanish Prime Minister, said yesterday.

Señor Aznar, who arrives in London tomorrow for talks at 10 Downing Street, said that the purpose of his visit was to "improve bilateral relations with Britain, where there are still a few irritations", and to have a detailed exchange of views with his "old friend", John Major, on the European Union, Gibraltar and Nato.

"I want to establish absolute confidence between Spain and Britain," Señor Aznar told *The Times*. "We are both great, proud nations, and there has to be a smoothest possible relationship between us." The Spanish Prime Minister, an unflinching proponent of monetary union and greater political union in Europe, emphasised that he did not regard Britain as a "bad European".

He said: "I have no time for those who make it a habit of criticising London for everything. No one would be more delighted than I would be if Britain were to become an active participant in the construction of Europe, but I insist that we have to understand and respect its concerns. I do not say that I share these concerns, but they must be respected. After all, Britain

has its national interests to defend, as do all of us."

In spite of his enthusiasm for the "European project", Señor Aznar has always been careful to ring-fence "sovereignty". In *The Second Transition*, his book published two years ago, he wrote: "It is essential to affirm that the European project is, and must always be, compatible with the respective national goals of its member states." Yesterday, interviewed at the Moncloa palace, in a room lined with Miró paintings, he repeated that assertion.

For the Spanish Prime Minister, however, membership of the first tier of economic and monetary union is a vital national interest. "Historically, Spain has tended to miss out on Europe's great movements. We were not at the top table when a 'modern Europe' was designed."

"We are determined, now, to be there always. Spain entered this century as a weak country, without a project, a pulse, or a clear orientation. But it is entering the 21st century, I assure you, as a strong, respected and serious player," he said.

Participation in the first round of monetary union would, for Señor Aznar, be proof of Spain's "seriousness". It is a word he employs often. "I am confident that we will

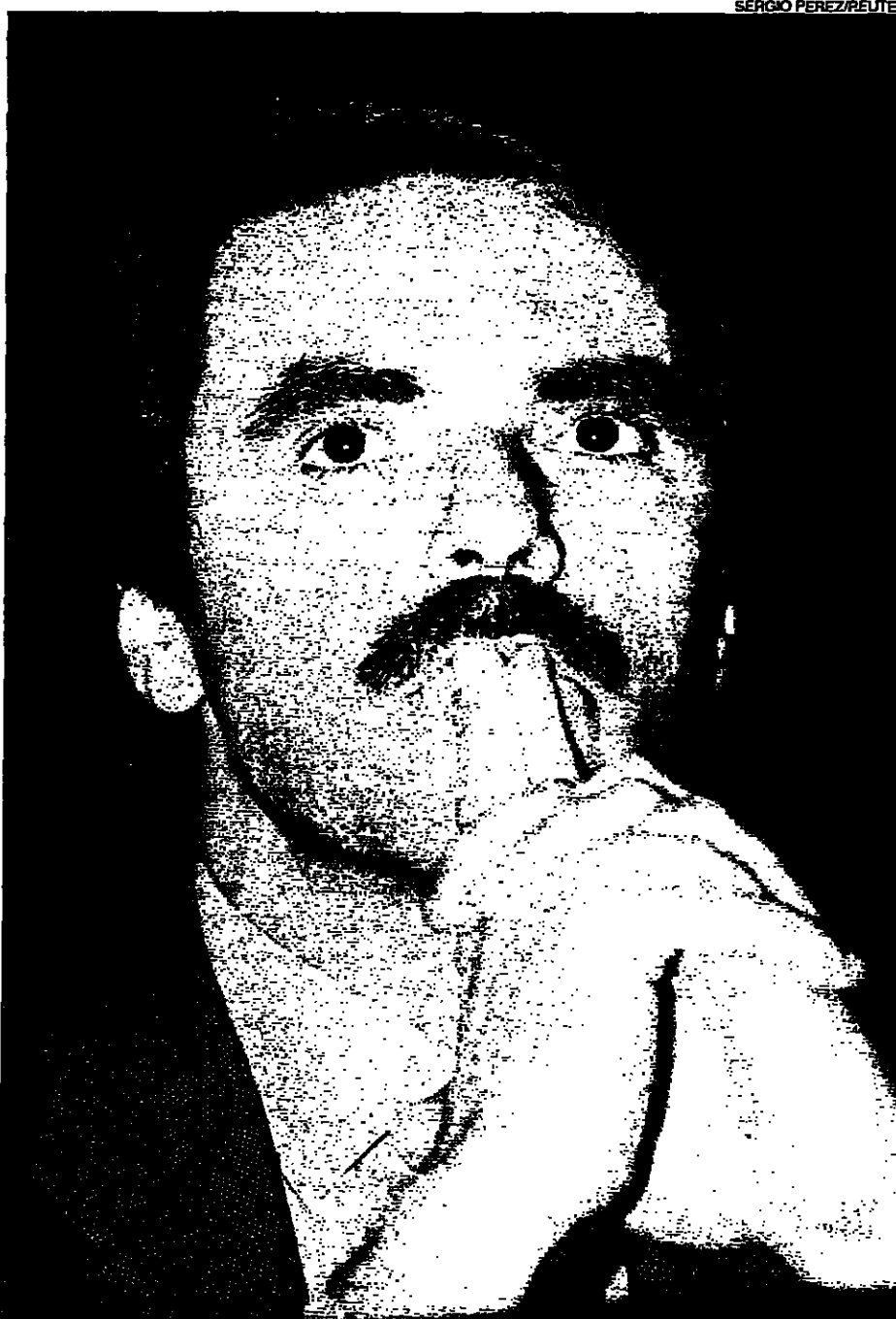
make it. Why? Because we now have our lowest ever rate of inflation, our lowest ever interest rates, healthy savings, a stable currency, and growth based on investment."

Would the euro work without Britain's participation? "It would work, of course, in the sense that it would still exist. But such a state of affairs would not be desirable or convenient. I would like to see Britain in and that is one of the things I will discuss with Mr Major. But I'm sure that he has things to say to me too."

Gibraltar is also "very much" on the agenda. "Our position is crystal clear. We want it back, full stop. But we are not going to let that become an unhelpful obsession in our bilateral relations. The dispute is... an 'inconvenience', one that curbs our relations from reaching plenitude, but we are determined not to let it get in the way of everything else."

Security issues will also be discussed, and here there is "almost total agreement" with Britain. Under Señor Aznar's initiative, parliament recently voted overwhelmingly in favour of Spain's full integration into Nato's military structure, fulfilling a promise made before the general elections in March this year.

Woodrow Wyatt, page 16



Señor Aznar, the Spanish Prime Minister, who will hold talks with John Major tomorrow

## Lukashenko sets sights on 'Slavic superstate' dream

FROM RICHARD BEESTON IN MINSK

THE President of Belarus yesterday celebrated his landslide victory in Sunday's referendum which, in effect, granted the autocratic leader one-man rule over the country into the next century.

In spite of complaints by monitors about an unfair campaign and voting irregularities, the Electoral Commission said that more than 70 per cent of the electorate backed the young and brash Aleksandr Lukashenko in his attempt for greater power.

The victory may have been a remarkable achievement for a man who was a virtual unknown two years ago when he was swept to office vowing to stamp out corruption. But his aggressive and unpredictable nature is also likely to cause concern throughout the strategic region, which straddles the fault lines between East and West.

Since coming to power, Mr Lukashenko has deliberately courted controversy with the West and has made clear that his political ambitions stretch beyond his country's borders.

Earlier this year he enraged Washington by praising the Belarus armed forces for shooting down an American hot-air balloon, which left two men dead.

Relations with the International Monetary Fund broke down after he failed to carry out economic reforms and a multi-billion pound loan agreement was suspended.

Unlike the rest of the former

republics of the Soviet Union, Belarus under the rule of Mr Lukashenko is pressing for re-integration with Russia, and the President has made little secret of his desire to play a leading role one day in creating a Slavic superstate.

Lukashenko's personal ambitions gave him a feeling of claustrophobia on Belarus's political stage, remarked the Moscow daily, *Necavistimaya Gazeta*. "He dreams of playing on the Russian one."

Experts agree that Mr Lukashenko, 42, is a clever and ambitious populist politician who has achieved a remarkable rise to power from his humble beginnings as a collective-farm leader.

Yesterday, for instance, he told the nation that they "lived in a small island of order and stability in an ocean of chaos and anarchy" which prevailed in the rest of the former Soviet Union, an impression many of his countrymen share.

But opinions are divided over whether his aggressive and confrontational style of leadership is simply part of his image or a deeper, more sinister side of his character.

Much has been made about his remarks to a German newspaper in which he praised Hitler for "improving German society due to his strong rule". Mr Lukashenko also suggested that Belarus, which lost one quarter of its population in the Second World War, needed the same type of leadership.

## Santer fears a paradise lost

FROM CHARLES BREMNER IN BRUSSELS

AS PARLIAMENT was agonising yesterday over plans for European monetary union, Jacques Santer, President of the European Commission, said failure to proceed with the project would amount to "paradise lost".

The last time European monetary union was delayed, in the 1970s, Europe had to wait a generation, Mr Santer said. "Let me tell you one thing: if we delay EMU, it will be 'paradise lost'."

Mr Santer deplored the way that people in Britain and Denmark, the two countries with opt-outs from the future euro, were "inventing stories" to prove that EMU would be a disaster. He attacked fears in Britain over the burden that the liabilities of continental state pensions could impose on a monetary union. "I am highly amazed by such sto-

Brussels: Malta said yesterday it had put on hold its application to join the European Union and was hoping instead to work out a special tie. "We don't see any importance in withdrawing our application. We're putting it in the deep freeze," George Vella, the Foreign Minister, said. (Reuters)

ries," he said in a speech delivered for him in Dublin.

Mr Santer, who has taken a more aggressive stance towards British resistance to European Union policies, said he was convinced that the Dublin summit next month would produce agreement on a new exchange-rate mechanism for those that do not participate in the euro. Stability of

exchange rates among all EU states was vital for the functioning of the single market, he noted. "It is now agreed that states not participating in the euro from 1999 onwards will submit convergence programmes," he said.

Through Kenneth Clarke, the Chancellor, Britain has declared its acceptance of the principle of submitting economic plans to Brussels. Since the Maastricht treaty in 1993, the practice has been followed on a voluntary basis. Mr Santer did note, however, that membership of the new-style ERM would be voluntary.

Continuing in literary vein, Mr Santer said Europe was "no longer waiting for Godot", the character in the Samuel Beckett play who never arrives. "Unlike Godot, the euro will come and will be with us in 1999."

## Prodi takes high-risk gamble on lira's future

FROM RICHARD OWEN IN ROME

PROFESSOR Romano Prodi, the Italian Prime Minister, yesterday hailed the re-entry of the lira into the exchange-rate mechanism (ERM) after a four-year hiatus as "of the utmost importance" for Italy's attempt to join the European single currency in 1999.

"It was a sign of confidence in the stability we have given the country," he said. The lira later rallied against the mark.

Officials admitted, however, that Italy had been in a weak bargaining position. "The clock was against us," one said, noting that two years of ERM membership is seen as a precondition for joining the single currency.

The centre-right opposition led by Silvio Berlusconi and leading industrialists said Signor Prodi's centre-left coalition had "stored up trouble for the future" by adopting an economic strategy of high taxation which risked recession and unemployment.

"Joining Europe" is still an article of faith in Italy. There is a fear that if Italy is left "outside Europe" as integration proceeds, it will be seen as a second-rate Mediterranean

nation and "sink into North Africa". *La Repubblica* applauded Signor Prodi's "courage" yesterday. It said: "If we become a bit less Italian and a bit more European, well, not before time."

Nonetheless, since the summer, when the high cost of "Europe" began to sink in, Signor Prodi has faced outright opposition and street protests. The 1997 budget, designed to cut \$40 billion (£24 billion) off the huge public deficit, has been greeted by a storm of criticism.

*La Stampa* said: "If we had known what the cost of joining the single currency would be, we would have thought about it more carefully."

Prodi charged a Rome magistrate has applied for Signor Prodi and five others to be charged with "abuse of office" over alleged "irregularities" in 1993 in the privatisation of a state-owned food and agricultural company. In Sicily, prosecutors recommended that an inquiry into Signor Berlusconi over alleged Mafia ties be dropped.

Anatole Kaletsky, page 29

## Deputies threaten to impeach Yeltsin

FROM THOMAS DE WAAL IN MOSCOW

KEY members of the Communist-dominated lower house of parliament threatened President Yeltsin with impeachment yesterday in what looked like whipped up outrage against the peace settlement in Chechnya.

Opposition deputies said that by ordering the withdrawal of the last remaining troops from the breakaway republic, the President had betrayed Russian statehood. "We are witnessing the beginning of the break-up of Russia," said Viktor Ilyukhin, a nationalist who heads the security committee in the state Duma. "This is sufficient to initiate impeachment proceedings against the President."

It will be impossible to carry through the impeachment procedure. It requires a two-thirds majority in the Duma and confirmation by the upper house of parliament, the Federation Council, after proof has been established of "state treason or the committing of a heavy crime" by both the Supreme Court and the Constitutional Court.

The Communists' plans suggest they may be trying to attract elements in the armed forces to a new idea, stopping the supposed threat of Chechnya seceding from the federation. The tactic suggests desperation on the part of a political opposition that has been shut out of power for four years by Mr Yeltsin's re-election and has few levers of influence.

Mr Yeltsin recently set up a new "consultative council" that includes Gennadi Seleznyov, the Communist Speaker of the Duma, but Mr Seleznyov complained last night that the latest Chechen peace deal had not been discussed at last week's meeting of the council.

The peace accord, signed over the weekend, effectively recognises the de facto position in the republic: that the separatists have taken control and are the only power to be reckoned with.



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Sandro Ristau yesterday

## Neo-Nazis on trial over Briton attack

FROM ROGER BOYES IN BONN

TWO young neo-Nazis went on trial yesterday for an attack on three black British building workers, which left one of them paralysed.

Sandro Ristau, 19, and Mario Pöter, 24, admit chasing the Britons' car on June 16 at Mahlow, south of Berlin, but deny that one of them threw a stone at the vehicle, causing it to crash and leaving Noel Martin, 37, of Birmingham, badly injured. The two are charged with assault causing grievous bodily harm.

# Rwandans gripped by fear as Hutus return from Zaire

FROM SAM KILEY IN TABA

ELIZABETH, a Hutu, stared in terror as her fellow tribesmen walked back into town. Married to a Tutsi who was killed in the 1994 genocide, she had lived in fear of reprisals for her refusal to participate. Yesterday, she watched some of the most notorious killers return home.

Taba, 20 miles south of Kigali, the Rwandan capital, was the scene of horrible crimes when Hutu extremists murdered a million Tutsis and Hutu moderates. The atrocities included mass murder and the systematic gang rapes and abductions of Tutsi women.

Its former burgomestre (mayor), Jean Paul Akeyesu, is being held in a United Nations jail in Arusha, charged with genocide and crimes against humanity. Elizabeth, who will be a witness for the prosecution, has been threatened repeatedly by Hutus in Taba. Now that about 200 other

Roquebrune-Cap-Martin: President Mobutu of Zaire is expected to return home from France this week, a Zairean source said. Mr Mobutu, 66, had a medical check-up yesterday, three months after an operation for prostate cancer in Switzerland. Last week Kengo wa Dondo, Zaire's Prime Minister, said the President would return after the check-up. (AP)

Hutus have returned from exile in eastern Zaire's refugee camps, she says she does not feel safe even though she lives next door to the local administration offices under 24-hour armed guard. "What if I walk into the market? I can easily be seized and taken away and killed in the bush. No one would speak out to protect me," she said. "I am more afraid now than I have been

since the genocide." In 1994 her own brothers slaughtered three of her children because they looked like their father. Yesterday she was brought face to face with men she saw kill her friends and family.

"I know some of these men. They are killers. Now where can I live? I want to testify in Arusha [the Tanzanian location of the UN genocide trials] but I am sure I won't live long enough," she said, gesturing secretly at a group of Hutu refugees who had walked into the village earlier with their families.

She was not the only frightened person in a village gripped by silent fear. Some Hutus walked in fearing denunciation as killers. Tutsi survivors, living in a compound under armed guard because they dare not return home for fear of Hutu neighbours already back in the country, watched them arrive knowing that the genocide



A refugee carries her child towards the Rwandan border yesterday after leaving her forest hideout in Zaire

was not yet over. "We are still afraid of the *interahamwe* (the Hutu militia). They have continued to kill us over the past two years and now more are coming into town," said Joseph Habimana, 38, one of 200 Tutsis who live under guard.

As he spoke, Rosanne and

Georges, tugging behind them Philippe, five, arrived in the village and joined other Hutu returnees in a small group next to the Tutsi compound. The couple did not want to talk much. Both sweated and panted in fear as Tutsis they knew eyed them across a few yards of grass. Georges stared at the

ground, anxious not to catch the eyes of an old neighbour. Rwanda is already holding 85,000 alleged killers in overcrowded jails. None has come to trial because the judicial system was wiped out with the Tutsis.

By supporting rebels who cleared out North Kivu's Hutu

refugee camps and attacked the *interahamwe*, Rwanda's Government has taken a huge gamble. Although no one can be sure how many extremists have returned with the Hutu civilians, there is no doubt that the mass influx of refugees has been a useful cover for members of the *interahamwe*.

## Chiluba acts to gag poll monitors

BY JAN RAATH

PRESIDENT CHILUBA of Zambia, within days of his landslide election victory, ordered the arrest of the heads of two independent, Western-funded monitoring groups which said the electoral process was not free or fair.

Police were holding documents and equipment seized in a raid on Sunday on the offices of the Inter-Africa Network for Human Rights, and the Zambia Independent Monitoring Team. The two organisations are key members of the alliance of 18 poll monitoring groups that accused Mr Chiluba's ruling Movement for Multiparty Democracy of creating "a climate of uncertainty" around the voting last Monday.

Ngande Mwanajiti, the chairman of the alliance, the Committee for a Clean Campaign, and Alfred Zulu, head of the monitoring team, were freed on Sunday after being questioned by police. Three officials of the opposition Zambia Democratic Congress are said to have gone into hiding.

## Paris attacks delay over relief troops

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

FRANCE criticised the international community yesterday for failing to decide whether to send a multinational force to Zaire to help to rescue thousands of refugees.

As a steering committee met last night at the United Nations in New York to consider military options outlined in Stuttgart during the weekend, Hervé de Charette, the French Foreign Minister, was critical of the delay in deploying a humanitarian force.

Speaking in Brussels, where he was attending a meeting of European Union foreign ministers, he said: "Is it because they are African that the international community is less interested?" He added: "It is urgent. The French position is that the international force... is more than ever necessary."

Despite his remarks, many countries that had offered troops are now admitting the mission is becoming increasingly difficult to define.

The Stuttgart meeting underlined the importance of restricting any multinational effort to aid work, but the fear is that intervention could lead to confrontation with rebel militia.

In Manila, Jean Chrétien, the Prime Minister of Canada, which has offered to lead a multinational force, said military intervention might

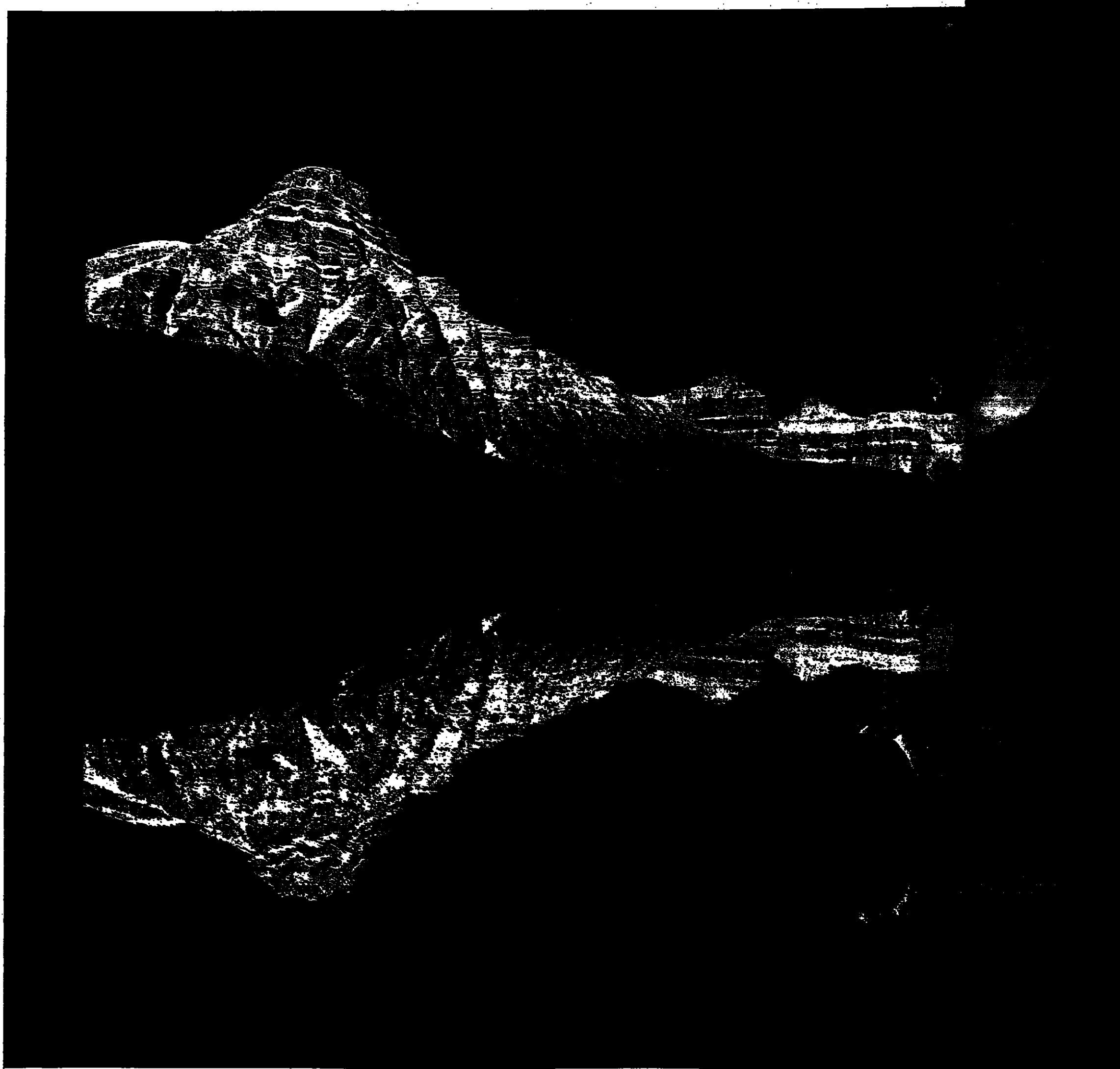
still be needed but that 1,000 troops could be sufficient. Referring to original plans to send 10,000-12,000 troops, he said: "My judgment is we don't need 10,000 people. It might be more in the range of 1,000 or 1,500."

Mr Chrétien added: "I know that many countries want to participate to help the delivery of humanitarian aid. Many countries are still very keen on that."

Douglas Young, the Canadian Minister of National Defence, who met William Perry, the American Defence Secretary, in Washington, said the situation in Africa was "very complicated" and "one not easily addressed".

Dr Perry said that American aircraft support teams were in place at Mombasa in Kenya, and at Entebbe in Uganda, to set up an "air bridge" of supplies for a relief operation. The United States was "prepared" to provide help. Britain, meanwhile, remained "interested but cautious", as one official put it.

The UN Security Council authorised a Canadian-led multinational force of up to 12,000 troops. However, after hundreds of thousands of Rwandan refugees left Zaire, the need for such a mission was questioned. An estimated 200,000 refugees are still in the Bukavu area.



## Crisis in Central Africa



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## Hillary Clinton to seek welfare role

FROM BRONWEN MADDOX IN WASHINGTON

HILLARY CLINTON is seeking a leading role in plans to overhaul the United States welfare system, in a sharp reversal of the wallflower part she has played for the past two years. The move would put the President's wife at the centre of what may prove the bloodiest political battleground of the Clinton Administration's second term.

Mrs Clinton's wish for a "formal role" will also reawaken one of the most bitter controversies of the first term — whether the unelected position of First Lady should be used to shape policy. Attacks on her widened after her radical proposals to reform healthcare collapsed under their complexity before reaching Congress.

Her renewed prominence would also come while the Whitewater investigations into the presidential couple's personal financial dealings continue to pose the threat that she will be indicted for perjury or obstruction of justice. She told *Time* magazine: "Apparently that will always be with us. So my attitude is that I

can't be very concerned about it or distracted by it, so I really spend very little time thinking about any of it."

Mrs Clinton's remarks, published yesterday, brought immediate condemnation from leading Republicans. Tommy Thompson, Governor of Wisconsin, an active supporter of welfare reform, said: "We've finally got the chance to move people off welfare, and we really don't need the tender, loving care of Hillary Clinton to mess it up."

Mr Clinton has committed himself to softening the harshest aspects of the Republican-backed welfare Bill which he signed before the election, particularly the removal of benefits from immigrants and their children. The legislation, which hands responsibility for welfare from federal government back to the states, has the support of much of the Republican-controlled Congress.

In contrast to her husband's conservative brand of Democratic policy, Mrs Clinton has been liberal-leaning throughout her career, particularly

committed to helping poor children. Republicans are concerned that she would use welfare reforms as a way of redressing the Administration's centrist tone.

The White House played down talk of a formal role for Mrs Clinton, saying that no plans had been announced.

Mrs Clinton's wish for a higher profile is in contrast to her near-invisible position during the election campaign. When President Clinton hinted that his wife might have a prominent post-election role in a television interview in September, she responded that the remark was "quite surprising".

Since the election, Mrs Clinton has been outspoken about the frustrations of the First Lady's role. She told a group of 400 prominent Australian women last week that the President's wife was under pressure "totally to withdraw and perhaps put a bag over your head, or somehow make it clear that you have no opinions and no ideas about anything — and never express them, publicly or privately".



Goh Chok Tong, Singapore's Prime Minister, is left out as President Clinton encourages his fellow Pacific leaders to perform "the wave"

## Apec takes hard line on free trade in software

FROM JONATHAN MIRSKY IN MANILA

THE United States demonstrated its power in Manila at the fourth annual summit of the Asian-Pacific Economic Co-operation forum, which ended yesterday, but equally apparent were the limits of American might.

Since 1990 the United States has been pushing the Pacific region to create a largely free-trade area by 2020. For the smaller countries, however, this seems like an invitation to have their throats cut in a competitive free-for-all with the economic giants.

The failure of the Americans to get

what they wanted on an information technology agreement, which was very close to being the centrepiece of their efforts here, was papered over by language with which officials professed their "delight" in effect that such a goal to end global tariffs on information technology was a worthy one.

President Clinton appealed to the other 17 Pacific leaders to agree to free trade in computers, software, microchips and a range of telecommunications technology by 2000. This would result in free trade in a market that consumes 80 per cent of a worldwide trade amounting to \$500 billion (£303 billion). However, developing coun-

tries, led by Malaysia and China, fear that if barriers fall, the United States and Japan will swamp the region's electronic industry. That America declined to include low-cost products such as telephones proved to its adversaries that it also protects its industries. Mr Clinton has made it plain in the past week that America intends to maintain its Pacific trading interests.

Although many countries are uneasy about China's growing economic might, many also favour its early entry into the World Trade Organisation (WTO), where the United States is playing its trump card to get China to stop its arms smuggling to "rogue

nations" such as Iran. Stop the arms trade, Washington had told Peking last week, and open up your markets, and the door to the WTO will open.

Apart from a deal on presidential visits, Mr Clinton achieved nothing concrete in his talks with China. However, even to achieve this he had virtually to ignore Chinese human rights abuses.

□ Bangkok: General Chavalit Yongchaiyudh, a former Thai Army commander, was sworn in as Prime Minister yesterday, in time for a state visit by Mr Clinton. At the Apec forum Thailand was represented by Banham Silpa-archa, the outgoing leader. (AP)

## Safety errors led to ValuJet crash

FROM TOM RHODES IN WASHINGTON

A CATALOGUE of errors surrounding the crash of America's ValuJet Flight 592 has opened questions about the safety of low-cost airlines in what is statistically the world's safest aviation system.

On average, it takes five safety-system failures to cause a commercial jet crash in America, but the ValuJet accident in May, which killed all 110 passengers and crew, appears to have come after a chain of mistakes that could have been averted.

The crash is said to have been caused by the loading of 144 oxygen generators into the forward cargo hold of the DC9, fuelling a fire that forced the jet to plunge into the Florida Everglades.

Although a final report is months away, testimony and documents brought before hearings in Miami last week point to at least eight key failures. Under Federal Aviation Administration (FAA) regulations no airline has been required to install smoke detectors and fire extinguishers in all cargo holds since 1993. The first sign of trouble on the ValuJet were screams of "fire, fire" in the cabin.

The independent carrier's

baggage handlers never questioned the nondescript label on a series of cardboard boxes which read "oxy canisters — empty". Shipping clerks at SabreTech, the contract maintenance depot where the boxes were loaded, had failed to label the generators as hazardous material or pack them properly.

The FAA inspector responsible for ValuJet's maintenance programme relied on the airline to monitor SabreTech. The airline's two principal FAA inspectors were unable to keep pace with the fastest growing carrier in American history. Pleas for extra help were turned down but a FAA report in Washington, shown to the inspectors after the crash, had determined three months earlier that the airline was in trouble.

Finally, the hazardous materials staff at the FAA had been cut back as resources were switched to security after the bombing of Pan Am Flight 103 over Lockerbie in 1988.

"I think all of us felt betrayed," said Richard Kessler, who lost his wife in the accident. "The public trust is betrayed by the FAA."

## Saddam's 'dud Scuds' worry UN monitors

BY CHRISTOPHER WALKER, MIDDLE EAST CORRESPONDENT

NEARLY six years after the Gulf War ceasefire, a senior arms control inspector admitted yesterday that the UN faced "very grave problems" in ensuring that President Saddam Hussein of Iraq is not concealing banned Scud missiles.

The latest clash between the UN and the Baghdad regime centres around an Iraqi refusal to permit the UN to investigate fears that slight of hand enabled them to substitute duds for powerful rocket engines supposedly destroyed under the ceasefire terms.

Charles Duelfer, deputy chairman of the UN Special Commission (UNSCOM) said one of the main obstacles was Baghdad's refusal to allow the wreckage of scrapped missile engines out of Iraq for analysis.

The refusal, part of the obstructionist policy ordered by Saddam, has increased fears that Iraq may be hiding up to 16 missiles with ranges beyond the 90 miles maximum permitted under the ceasefire terms.

Western and Israeli intelligence officials are concerned that the Iraqi leader could use concealed Scuds to launch a chemical or biological attack against Israel, although he has been warned that such a move could result in nuclear retaliation.

Mr Duelfer said Iraq's refusal to allow the missile engines to leave the country violated its obligations under the 1991 ceasefire signed after Iraqi troops were driven out of Kuwait. Baghdad has asked UNSCOM to send experts to study the engines inside Iraq, claiming the request for their removal was designed to prolong sanctions imposed for the 1990 invasion of Kuwait.

About 60 engines for long-range missiles which Iraq said it destroyed in 1992 are currently stored in boxes at

UNSCOM headquarters in Baghdad ready for shipment abroad. According to UN officials, a further 20-25 remain buried at two sites near the capital.

Speaking in Kuwait, Rolf Ekeus, UNSCOM's chairman, said he feared Saddam was attempting to hide operational missile engines by destroying dud ones.

The UN will not lift a ban on Iraqi oil exports until UNSCOM reports that it no longer has any banned weapons of mass destruction and that it cannot replace them.

□ New York: The long-delayed "oil-for-food" deal for Iraq was back on track after Baghdad agreed to the deployment of UN observers to monitor implementation of the agreement (James Bone writes). Nizar Hamdoun, Iraq's UN ambassador, said after a meeting with officials here that Iraq could begin shipping its first oil since the Gulf War next month.

The UN-approved deal allows Iraq, which is still under a comprehensive UN trade embargo, to sell up to \$1 billion (£625,000) worth of oil every six months to buy food and essential supplies. A detailed agreement, signed in May, fell apart in August when Iraqi troops intervened to help a Kurdish group fighting a rival faction in the Kurdish-controlled north of the country.

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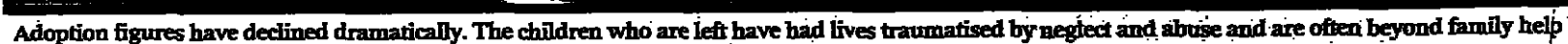
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## Anjana Ahuja reports on a bizarre syndrome

"It's possible that the brain reconnected itself," says Dr. Todd Feinberg, a neuropsychiatrist at the Beth Israel Medical Center in New York. Dr. Feinberg estimates there are about 100 cases of alien hand syndrome in the world, making it extremely rare. Some are Alzheimer's sufferers, some are severe epileptics who underwent surgery and others have been brain-damaged by stroke. Dr. Feinberg says: "In most cases the syndrome disappears, but in the others we don't know of any therapy or medication that works."

The child may remain in a dangerous home for several years. Natural law and public law requires that every possible effort be made to keep the child with his family of origin. Heroic efforts are often



● Karen Irving is the director of Parents for Children, specialist family placement agency

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## CHANGING TIMES

Free/



# I left Oxford and joined the circus

When I was younger, I wanted to be a monkey trainer in a circus. Growing up within the cosy parameters of a north Oxford garden and the rarefied society of academics and artists, I had this thing about monkeys, and circuses too.

Then fate took a hand. My brother married a girl whose American cousins founded a circus, Circus Flora. Her brother, Gerald, went to work for them as a set painter, fell in love with the elephant and has never come home.

When I was 18, Gerald offered me a job with Circus Flora. The pastoral dream that my family had lived after moving from Oxford to the country had just been shattered. We had had it all: Shetland ponies in the kitchen at bedtime, summer evenings in the hay field, hound puppies and bantam chicks, skating by candlelight on the frozen moat.

The year I left school, Mum fell off her horse and was in a coma for two months, suffering acute brain damage. My childhood was suddenly and irredeemably over. The following year, I joined Circus Flora on a trip to the United States for a month before going to Oxford.

I was amazed by what I saw: "These people of many nationalities, they all live together as a family and help each other. I feel that this is Utopia..." I gushed to my diary. America was hot, jolly and wild. I went on an overnight journey with some American roustabouts to deliver a trailer to a circus wintering on a police airfield in Brooklyn. We arrived in the early morning and the sun was shining through the fog, lighting the side of the starchy tent and the flanks of some Arab ponies, catching too on the blades of the police helicopters that were all around us in the air.

I arrived back in England with a spanner in my back pocket, a tape of the show music and a handful of sawdust bound in a shred of the clown's balloon. Sleary, the old man of the circus in Dickens's *Hard Times*, was the only literary hero I needed at Oxford: "People mumbled be amuthed thquire, they can't always be a-working, nor yet a-learning. They must be amuthed. Do the withe thing and the kind thing too, thquire, and make the best of uih vagabondth, not the worst."

I wrote my first essay on this text. It was a good essay and it must have raised my tutor's hopes: I was lazy and left Oxford with a second. But I knew what I wanted to do and I thought it would be easy. I wanted to join the circus.

My view of circus people, as I had seen them in America, was verified by *Hard Times* where Dickens talks about them having "a remarkable gentleness and childishness... a special ineptitude for any kind of sharp practice, and an untiring readiness to help and pity one another, deserving often as much respect and always as much generous construction as the everyday virtues of any other class of people in the world."

I did not take into account that this was 19th-century England and that the novel sets the circus up as a fairytale contrast to the industrial society, with old Sleary a merry

Oxford graduate Nell Stroud fulfilled every little girl's fantasy. But, she says, the reality of life in the big top can sometimes be anything but glamorous

antithesis to the dreadful Gradgrind. Nor did I take into account that in America I had been among family, warm and well-paid. Everyone falls from innocence at some point, and I hit the ground hard.

Through ringing box-office numbers, I soon found work as a circus groom. I joined Richie Richards Mega Circus in Manchester. I bought a van at an auction and a caravan in a pub for £50.

When I arrived at the ground, an alsatian rattled its chain and barked in front of a caravan with a white Mercedes parked next to it. The caravan had aluminium

what was happening and dragged him from under the wheels. But they had to remove a section of Mr Richards's skull, and I think that his violent temper had something to do with this.

Richie Richards Jr was a clown. He was not a normal circus boy — not robust or bright and sharp. He wanted to educate himself, so he read books about the theatre and made Wildcat quips. He wanted to run away but it was a hopeless aspiration. His parents controlled his finances, so he was tied to the circus.

I learnt a lot from him. He

have ever done. But, apart from these few minutes a day, life was desecrating. The weather was hitting record lows and I could not take any more of Mr Richards's temper. I did something that I always swore I would never do: I scarpered in the middle of the night.

There was a heavy blizzard and the ignition key snapped. The AA man thought that I was trying to steal the van. I drove all night to my aunt's farm outside Newcastle, where, caked in elephant muck and my face black with tear-drenched eyeliner, I had a normal family Christmas, fed pheasant by my wonderful aunt.

But I could not forget the circus. I wanted to be a performer. I spent a few months at a circus school — but the people were not like circus people at all. "This is like a first-year drama production at a sixth-form college," my sister wryly observed when she saw the show. I was demoralised. Somewhere, I knew, the picture of the circus I had in my head must exist. I just didn't know where.

And then my luck changed and a new circus arose like a dream over the horizon. In a field behind the beach at Margate was Santus Circus — the real circus of my imagination and fantasy. There was a green and yellow tent, with a star-patterned ring curtain, little spotted ponies, and goats.

Everywhere, art and life collide — the elephant standing in the evening sunshine in front of a lorry painted with circus ponies, and in front of that two clowns looking into the engine of a Land Rover. That night, Ernest Santus, the circus director, offered me a job as the ringmistress.

It's a nerve-racking role. Circus people are sharp dealers in one-liners and off-the-cuff banter, and I found this sharpness of mind and tongue difficult to learn. Welcome to Santus Circus, on a bright afternoon (so bright that the spotlight dazzles you and the audience disappears — are you facing the wrong way?)

Moving across the South of England in slow, midnight convoys, I follow behind the elephant lorry, my car straining to pull the new caravan I had bought from a taxi driver. I have never been so house-proud. It has a shower and soft seats, a huge kitchen table and lights hidden behind palmets. When we stop, through the lace curtains I can see an elephant grazing from the hedge.

There are certain lines that capture the spirit of the circus people — bits of quotes that I learnt at Oxford which I keep remembering: "Their deathless attachment to freedom... their self-esteem and wonderful sympathy... the air they have of people who never knew how it felt to stand in the presence of superiors."

I wish that more people went to the circus. No type of entertainment is more hard-earned, more vigorous. One of the girls stands on her head on a trapeze that is swinging and spinning at the same time, half-lit and the music far away, all arched over by the stretched roof of the tent. Old Sleary was right: make the best of these people.

Reproduced from the December edition of *Harpers & Queen*



Nell Stroud: in her dream role at the circus at last

**'I just knew the place of my dreams existed'**

steps, a yellow and white awning and hanging geraniums. A woman came to the door and stared at me. She said that she didn't usually take people to look after the animals without references. Then she looked at my van and said she hoped I had all the right paperwork as they were very particular about that sort of thing. I learnt that they were less particular about that sort of thing than they made out. Being an outsider, I tended to receive a carefully modified version of events; but I soon learnt to see through the artifice. I also learnt how to deal in suspicion and lies.

A trapeze artist told me not to trust anybody. "Not even me," she said. I developed a way of surviving, which was to give no information away about myself or pass on gossip or comment on anybody, but to treat life as one huge research project.

Mr Richards was an extremely bad-tempered man. About ten years before, he had had a terrible row with one of the clowns in the middle of the night. In a fury, the clown had driven over Mr Richards in a lorry and was about to kill him with a final wheelspin to the head when somebody realised

taught me the circus jargon. He told me about the big shows of the Fifties when you might find 80 clowns on a show and a circus ground big enough to warrant an internal postal system. I learnt, too, of the gossip about myself: I was weird, apparently, and a mob. I was also an animal rights protester in disguise. (Circus people are understandably paranoid about the animal rights movement, which has all but driven them out of business.) I was becoming very tired. There was no time to eat or wash, and a groom is on 24-hour call. All I wanted to do was sleep. The weather turned cold and the tenting season was over. We drove to a scrapyard outside Edinburgh, where we wintered for a month before doing a Christmas season in a hall in the city.

Wintering with a circus is as bleak as it sounds. I was permanently freezing and very lonely. My caravan leaked and my dog shivered. We moved to the hall for the show. I was to ride on one of the elephants, dressed in frills and sequins with streaks of liquid eye-liner hurriedly applied between mucking out the lambs and grooming the ponies. The band played *Scotland the Brave*. It was brilliant — the best thing I



Ringmaster Nell Stroud: "It's nerve-racking," she says. "Circus people are sharp dealers in one-liners and banter"

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# Revenge of the routiers on Juppé

Gridlocked France cheers the drivers, says Ben Macintyre

The French lorry driver, or *routier*, is a figure deeply embedded in the national mythology: he can cut you up at a roundabout with a surgeon's precision; he eats well, having an entire species of roadside restaurants labelled in his honour; his repertoire of expletives and graphic hand gestures is the envy of his peers from other countries. And when the French lorry driver decides to mount industrial action, the result is organised mayhem on an epic scale — as French motorists, British truckers and the Paris Government are discovering once again.

But perhaps the most remarkable characteristic of the French lorry driver is his enduring popularity. As commuters sat in traffic jams across the country yesterday and competed for dwindling petrol supplies, most appeared to accept the disruption with the placidity of spectators at a well-rehearsed ritual.

Near Cahors, a restaurateur struggled through the jams to cook a vast, steaming paella for striking *routiers*, and at blockades across the country the protesters have been sustained with hot coffee, baguettes and encouragement from the public. France's main union leaders and the opposition Socialists have backed the *routiers*, and a "day of action" has been called for tomorrow to show sympathy and put further pressure on the Government.

This is a baffling spectacle to British eyes. The Conservative MP David Shaw even threatened to come to France to have an "on-the-spot, stand-up row" with the French police standing idly by at the roadside. It is hard to imagine a more pointless activity, for the *gendarmes* on the spot, like the rest of France, are watching events with a grave sense of *déjà vu*.

According to the polls 87 per cent of French voters regard the drivers' demands for higher wages, shorter hours and retirement at 55 as "fairly justified". During the truckers' strike of 1992, public support never fell below 60 per cent, even when a blockade of Rungis food market outside Paris led to a fresh famine.

It is the drivers' popularity, rather than the inconvenience or even the economic effects of their blockade, that has struck fear into the Government and sent it scrambling to mediate a solution. They know the lorry drivers have the potential to foment chaos on a par with last year's transport stoppage, led by railway workers (or *cheminots*), which paralysed France for 24 days. Like the *cheminots* — still beloved for their role in the Resistance — the *routiers* are seen as quintessential French working men, with the cachet of spearhead industrial unrest on disparate issues in other sectors.

Already unions are circling the wagons, calling for rail, ship, air and other transport workers to show their "solidarity". The Government has gone to great lengths to avoid another confrontation over its austerity policies aimed at qualifying for economic and

monetary union. The 1997 budget is a pallid thing, demanding only minor cuts in education and relying instead on creative accounting using money from France Telecom to balance the books. But it is a sign of how deeply a general malaise has penetrated French life that the worst bout of industrial unrest this year has erupted in the private sector, in an area the Government did not anticipate, plainly dreads and may not be able to control.

On Saturday, President Chirac presided over a vivid display of Gaullist pomp to mark the removal of André Malraux's ashes to the Pantheon in Paris. A televised presidential address is expected within days. But while M. Chirac bolsters his presidential image, France is still looking for an effective government. Last week his Prime Minister, Alain Juppé, achieved the dubious distinction of becoming the most unpopular premier in the history of the Fifth Republic, after polls showed he had passed through the record-breaking level of public dislike set by his Socialist predecessor, Edith Cresson.

As France struggles to qualify for EMU, with rising unemployment and a wobbling economy, some of the most sacred cows of its political thinking may be heading for slaughter. For 13 years France has insisted that the franc remain pegged to the mark, but last week former President Valéry Giscard

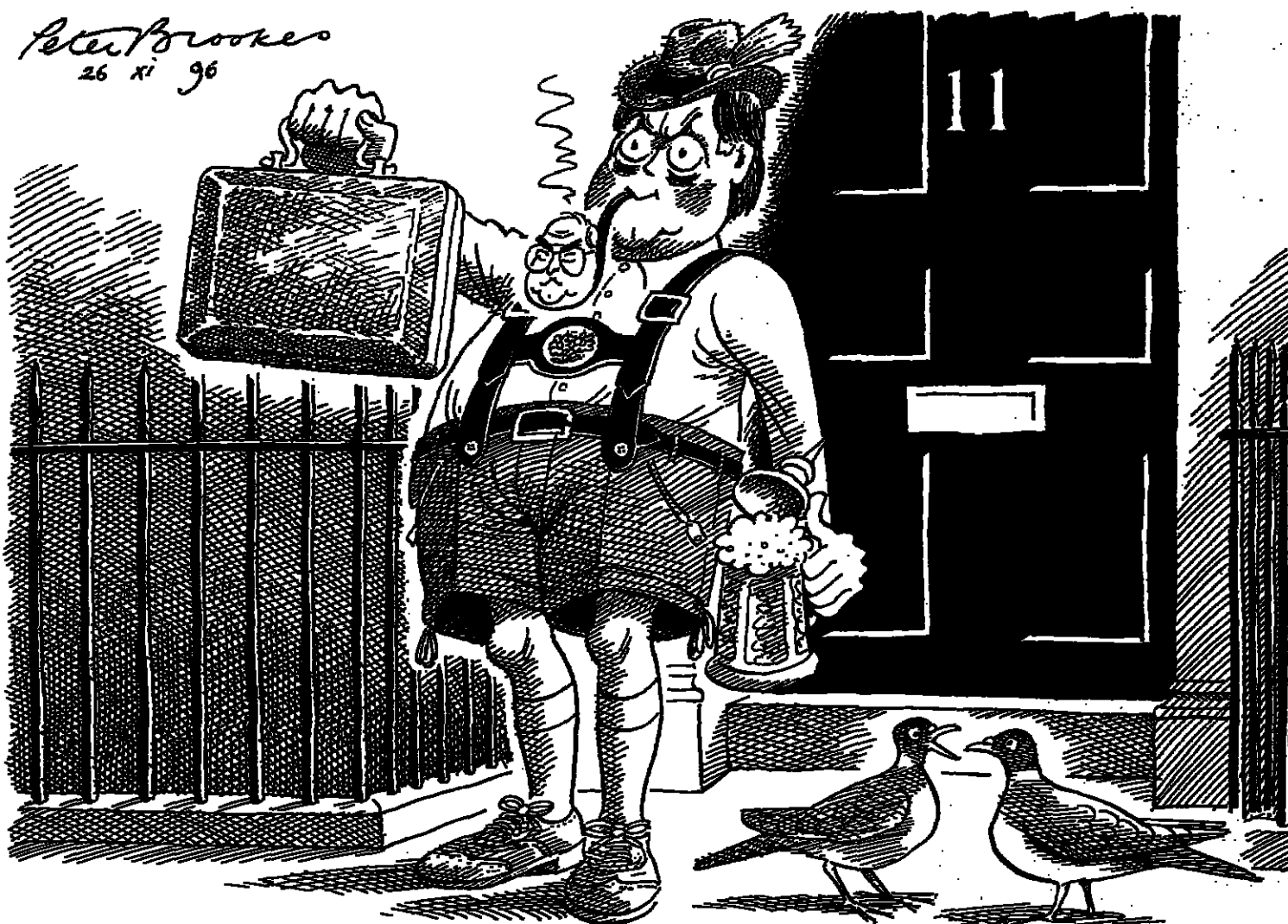
Juppé has now broken the Cresson barrier of dislike

d'Estaing, joint-architect of the ERM, argued that the time had come to abandon the franc fort policy and devalue. The Government squealed, in union with Bonn, but veteran anti-Maastricht campaigner Philippe Séguin, the canny house Speaker tipped as a possible replacement for M. Juppé, strongly endorsed Giscard's views. Rumours of an imminent government reshuffle are rife, and M. Juppé's chances of survival may depend on whether he can engineer a swift end to the *routiers* dispute.

As the Government gingerly prepares to introduce private pension funds in a country almost entirely reliant on the indebted social security system, the issue of retirement benefits is an incendiary one. Last year, rail drivers successfully defended their right to retire at 50, an anachronism left over from coal-shovelling days. Haulage bosses want the State to pay for the drivers' early retirement. It probably will.

In Britain such disruption would meet with widespread outrage, but behind the drivers stand a range of different grievances: farmers angered by falling beef prices, doctors furious at cuts in welfare, teachers fearing job losses and civil service workers bitterly opposed to cost-cutting in the name of Maastricht.

The *routiers* call their protest "Operation Escargot", designed to slow the nation's traffic to a snail's pace. But as it gathers momentum, M. Juppé is grimly aware that he may be facing a heavily loaded runaway vehicle with defective brakes.



"Something makes me think I still can't trust him..."

## The case for taxation

Voters are neither selfish nor stupid: we know that a decent society costs money, and we are ready to pay

It's too late now. The Chancellor will have put away the pocket calculator and locked the box. No pleading will change anything. I am sure there will be an income tax cut (though not a very big one because, thank God, Kenneth Clarke is not as daft as Nigel Lawson). I am sure his party will be pleased, because they think that tax cuts win elections.

I am equally, gloomily, sure that Labour will then say that they too are pledged to low taxation. Both sides accept the fashionable dictum that in the secrecy of the voting booth we are all for sale.

Only the Liberal Democrats, quixotic and hopeless, will continue to say that tax wisely spent is a Good Thing. The other politicians will jeer at them for it, and change nothing. Nor will last week's British Social Attitudes survey, which (as usual) returned the finding that well over half of us believe in higher public spending on health and education even if it means higher personal taxes.

"Bah!" scoff the political advisers. "They say that to impress lady pollsters. The ballot box proves that they don't mean it. Look at 1970, when Roy Jenkins produced a Budget with no tax bribes, and Labour lost. Look at the way Nigel Lawson won in 1987 by knocking tuppence off. Look at 1992, when the Tory attack on Labour as a high-tax party delivered victory in spite of everything." Never mind that in 1970 Labour rose in the polls after the Budget, and almost averted defeat. Never mind that in 1987 we were all crazy, drunk on the Great Boom; never mind that in 1992 Neil Kinnock blew it with his terrible triumphalist rally and his doctrinaire pals. Never mind that there are always other good reasons why elections are won and lost: the mantra says that voters are selfish, voters are short-sighted, voters do not give a damn about the poor, the sick, the old, or other people's children. Voters just want another two hundred quid a year to spend in Ikea. Only by understanding this will you win elections. Give 'em the money!"

Do you feel insulted? My own accountant, for years, used to send out with every final tax assessment a parallel calculation of how much more I would have paid under Labour. (He has stopped now; guess why.) On receiving this piece of unsolicited information I felt an annual surge of irritation: how dare he assume that as an already quite high earner I

wanted only more money? Personal, disposable money all for me, and let the rest of my country go hang?

I am prepared to bet that this irritation will be shared today and throughout the campaign by a surprisingly large number of people, many of whom would be deeply insulted if you called them "left-wing". These are taxpayers who may have been upset yesterday by the report from the Health Visitors Association, signalling the return of "disease and nutritional defects more commonly associated with Victorian times": widespread child malnutrition, overcrowded, damp accommodation leading to infant pneumonia, TB, rickets. Meanwhile analysis of government statistics shows that this year 30 per cent of all babies — 215,000 of them — were born into families on means-tested benefits; i.e. very poor families.

These in turn will get pneumonia, perhaps TB, and gastroenteritis from shared, sordid hostel facilities. They will be educated in primary classes which are far too big, in schools run down and depressed by failure and opprobrium. They will become angry and delinquent and find that the established projects which would once have tried to reclaim them — youth clubs, mothers' groups, teenage counselling centres, drug centres — are being closed down for lack of funding (the authorities covering east London announced severe cuts to social programmes only yesterday). Too many of these children will end up sleeping rough, selling their bodies, being murdered or murdering.

We all know that our otherwise affluent (and by world standards, pretty well-managed) society is becoming disfigured by poverty, ignorance and anger on its fringes. We know that this leads to disorder in schools, fear on the streets, and overloading of hospitals and prisons. We are not stupid: we can see

that solutions to this blight — not yet insolubly severe — will cost money. We can also work out that you save money in the long term if you nip social problems in the bud: feed the children and educate them, and support small projects which help carers and the mentally ill and those temporarily overwhelmed by difficulties. A stitch in time saves nine; a steady hand from the strong — the solvent taxpayer — will save that taxpayer in a few years' time from having to pay thousands more in health costs, prison costs, and the expense of policing dirty and dangerous cities.

We live on a complicated, crowded island, and common sense dictates that we cannot regard our incomes as if we were doughty pioneers, individualists, each milking our own cow and digging our own well. We all need decent schools, good medicine, police, playgrounds, roads, sewers, hospitals, community halls, and services to help the deranged and keep them safe from harming us or themselves. Without these things, the poor are abandoned to chaos and the middle class is trapped on an island of its own money, terrified of falling off.

There are political thinkers who applaud this feeling, and point to "individual responsibility" and good honest terror of the workhouse as our salvation. But it is not comfortable on the middle-class island: not if you struggle with school fees because the state schools near you are terrible, and private health insurance, because your NHS Trust is closing wards, and spend your tax-cut twice over on burglar alarms and security lights because the kids down the road have nothing to do and nothing to lose.

To recognise this is not to advocate a nanny state or a socialist Utopia. There will always be some who build

a higher, prettier, safer island of personal money than the others. But even they can see that it is in their interest for the surrounding lowlands to be safe and healthy. That costs money: not just from personal taxation but from companies whose hill of profit is high (we have, at present, some of the most profitable companies in the world paying some of the lowest tax rates).

There is, of course, a flaw in my argument. In order to be happy about confiding our money to government to spend on our behalf, we have to believe that they will use it wisely. Unfortunately the last vestiges of that confidence have gone: nobody trusts government. There is a widespread perception that "they" will blow the money, and everyone has their own favourite allegation of government waste: stupid advertising campaigns, dithering around getting in and out of the ERM; setting up an unworkable poll tax and dismantling it again, extremely expensive judicial inquiries into their own shady conduct, buying too many Euro-fighters, ideologically fanatical privatisations, avoidable wars. It is significant that almost alone among lottery nations, Britain decided not to entrust the profits to government, but set up panels of ragbag *bien pensants* to hand the money out. We don't trust government in that sense: those who say that we will be selfish in the secrecy of the polling booth may have a point.

But it makes no sense to insist, as Norman Lamont did yesterday, that "it's still taxes, stupid", and that the nation warmly applauds all public spending cuts as well. But we will spend the money carefully, where it is most needed, and nobody shall be without a chance to better themselves.

Well, say the cynics, the Lib Dems keep saying that and they never win. do they? Well, no. Not nationally, because our first-past-the-post system forces us to be a nation of tactical voters, terrified of letting in the big enemy (whichever) through voting for the third party. But look at local government: given a chance that it might get actual power, Joe Voter often backs the only party which admits the need to tax and spend. Interesting, eh?

Libby Purves

## Get out while we still can

Woodrow Wyatt wants Britain to leave the EU

Broadly, the enthusiasts for deeper immersion in the European Union believe that Britain is in decline and needs Europe to prop it up. That was Harold Macmillan's view. He was hurt by de Gaulle's refusal to let Britain join. In those days it was an association of sovereign states. De Gaulle, who would have been horrified at what it has become, thought even his concept was not right for Britain. Our links with the United States mattered more to us than our links with the European continent, as did our trade across the seas.

The Euro-fanatics accuse those who dislike rule from Brussels of being "Little Englanders". On the contrary, they are the Big Englanders, among whom I include the Scots, the Welsh and the Northern Irish. We do not accept the Macmillan thesis of genteel decline and the rubbish about privatisation of nationalised industries being theft of the family silver. Because of Margaret Thatcher's revolution and John Major's follow through, our economic strength is growing rapidly and our unemployment is falling, while the economies of our EU partners are worsening and their unemployment is rising. Labour and the Liberal Democrats accept the Macmillan thesis: they are the unpatriotic parties. Their leaders collude in framing pro-Brussels questions on Europe to ask the Prime Minister, and adopt the same line in debates.

As Tony Blair watches the public's increasing hostility towards rule from the Continent, he tries to obscure his keenness on ever more surrenders of sovereignty. But it won't wash. I cannot see John Major ever recommending that we join a single currency, but it is easy to imagine a Blair-Ashtown alliance doing so. Mr Blair cheered the European decision that Britain must comply with the 48-hour week directive, deceitfully brought in under Health and Safety provisions. He and his union backers are delighted at the prospect it brings of greater union power and of socialism enforced by foreigners.

In 1994, Norman Lamont proposed the unthinkable in his booklet *Sovereign Britain*. We should seriously consider leaving the EU, he contended. One day this will happen, and maybe sooner than expected. Mohamed Ali Jinnah, the founder of Pakistan, was once an ardent supporter of the Indian Congress. During my visits to India with the post-war parliamentary delegation, and later as personal assistant to Sir Stafford Cripps on the 1946 Cabinet mission to India, I got to know Jinnah well. He told me he was forced to leave Congress because everything was expressed in a Hindu way; in a united India the Muslims would be swamped by the Hindus.

This is precisely our relationship with the European Union. EU laws, treaties and directives are expressed in a continental manner quite alien to us. British membership of the European Court of Human Rights, which is not part of the EU but shares its characteristics, was advanced by Winston Churchill. He hoped it would prevent the crushing of individuals by dictatorships to which continental Europe has been so prone. He never imagined we would be ordered to pay compensation to relatives of IRA terrorists killed when their plot to murder hundreds of civilians in Gibraltar was uncovered. Nor did Churchill contemplate the subordination of our Parliament to unelected officials and a Euro-parliament. His whole being would have revolted against confinement in so authoritarian a contraption.

If I chose to depart from this monster, we would have all the cards. We have an adverse trade balance in visibles and invisibles with Europe. We have to subsidise the appalling common agricultural policy and pay an average of £20 a week more per household than we should for our food. We are obliged to shore up poor countries such as Greece, Portugal and Spain.

The European Union needs us much more than we need it. Whether we remain members or not, if the other states wish us to maintain any kind of association, it will be on our terms, not theirs. Europe is in a mess. I sympathise with the striking French lorry drivers, who are striking against the Government's clamp on wage increases to meet the conditions for a single currency — which will be a disaster for all if it occurs.

Yesterday Kenneth Clarke dismissed as unreal the alleged constraints on member states that do not join a single currency. He can be trusted. But can Germany and France, the dominating leaders of Europe, be relied on not to try some new tricks to shackle us to a single currency, whatever our opt-out? I wouldn't bet on it. When we leave the EU, the new Gatt rules will prevent discrimination against our exports. Inward investment will continue to soar because of our greater productivity, lower costs and lower taxes. And we will be able to join the North Atlantic Free Trade Area, which presently we cannot because the EU would refuse us permission. Canada and the US share our democratic and legal traditions. We will be far happier with them — and prosper more.

## Cruise control

ON HIS reappearance in London to film another movie, Tom Cruise is insisting on the respect due him as a Hollywood superstar. Those working on the set of *Eyes Wide Shut*, which Stanley Kubrick has emerged from years of seclusion to direct, claim to have been told that they will be dismissed if they look Cruise in the eye.

This is not the first time that Cruise is reported to have behaved in such a manner. On the *Mission: Impossible* set at Pinewood last year, the crew was said to have been advised to look away when the great man approached. Val Kilmer allegedly insisted on similar conditions, and two British extras claim that they were removed from the set of *The Saint* for straying into his sight-line.

Filming of *Eyes Wide Shut* has been taking place near Hyde Park Corner, at the Lanesborough Hotel, where conditions are said to be extremely stringent.

Those in the trade, however, say Cruise's apparent idiosyncracies are nothing new. Boyd Farrow, editor of the magazine *Screen International* says: "They are so famous that when they get up to do their scene, everybody drops what

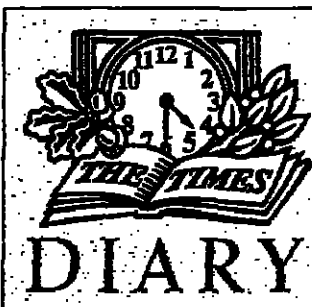
they are doing to go up and look at them. Some of the more precious stars find this unnerving."

### Who is it?

FIRST Bill Clinton had to deal with the anonymous *Primary Colors*, the fictional account of a philanthropic presidential candidate and



"And please let Mr Clarke make a squalidly cynical bid to buy my vote"



his wife on the campaign trail. Now he faces *Twilight of Heroes*, a book written by one of the White House drugs policy team.

Major Ralph Peters joined the team recently after serving at the Pentagon. His thriller holds only criticism for the Administration's troubled anti-drug policy. Worse still, there are telling descriptions of senior politicians. Take the Secretary of State with a "corporate lawyer's mind and a little rat face". An ugly vision of Warren Christopher springs to mind.

### Avon stalling

CHRYSANTHEMUMS are flying in Butcombe, North Somerset, as the members of the local Women's Institute take a stand. Butcombers were vigorous opponents of the transfer of their village (pop. 200)

from Somerset to the bastard agglomeration of Avon County.

Although Avon has now been abolished and North Somerset restored, the National Federation of the Women's Institute has not caught up. It has decreed that Butcombe's WI must join an Avon rather than Somerset federation. In retaliation, Butcombe's women have downed their jam strainers and closed their WI. This is war.

Last night was the final chance to bed down in a Westminster corridor with Dame Elaine Keller-Bowman, septuagenarian Tory MP for Lancaster, who retires at the general election. For years



Christopher: ouch!

now, she has taken to her sleeping bag outside the vote office in the House of Commons on the eve of the Budget so as to ensure her place for the Chancellor's delivery.

### Skye line

SLEAZE has MPs of every party running scared. Take Charles Kennedy, the ebullient Liberal Democrat MP for Ross, Cromarty and Skye. He has been hired by the accountancy firm Ernst & Young to tour Yorkshire tomorrow by helicopter, briefing businessmen on the implications of the Budget.

However, the usually publicity-hungry MP turned a Charthouse green when it was suggested that a local journalist travel with him on the chopper. Why? Westminster was so rife with corruption rumours that any publicity for this trip could be misinterpreted. Happily, we can report that his tour is entirely sleaze-free.

### Big man

JUDO as well as photography is all the poorer for the death of Terence Donovan over the weekend. Donovan was a black belt, having rediscovered judo at the age of 40 after practising it as a teenager. He was a tireless worker on behalf of



Donovan and Goodbody

the Budokwai in South Kensington, the oldest judo club in Europe. This was how he described the thrill of his sport to my colleague John Goodbody: "In judo, there is no shield, no Armani overcoat to hide behind. There is immediate physical contact. You learn about yourself when you are faced with an enormous ginger-haired bloke with every other tooth missing, salivating at the thought of pushing you straight through the mat."

P.H.S





## SAFETY VALVE

Clarke has released the head of steam — for a while

At the end of last week, parliamentarians of all shades of opinion were seething about the Government's refusal to allow a debate on the single currency. It says something about the Administration's misreading of its position that Kenneth Clarke claimed yesterday to have been brought to the dispatch box by weekend newspaper reports rather than pressure from the House. The Chancellor's statement and the subsequent question and answer session nonetheless managed to take some steam out of a chamber in danger of overheating.

Despite his protestations about enjoying parliamentary debate, Mr Clarke is on precarious ground when talking about the single currency in the Commons. Forced to speak with his back to the main audience, he knows that the majority of his backbenchers are behind him only in the literal sense. Many do not trust him to negotiate firmly enough on their behalf at European Council meetings. If they do not have faith in him, what hope is there for the voter?

He was helped yesterday by the Speaker, who chose a disproportionate number of Euro-enthusiasts to speak, giving the impression that opinion among the Tories was finely balanced. He helped himself by speaking in a much more conciliatory tone than usual. Most promising was his reply to John Redwood's request that he demand written confirmation from Britain's partners that this country's economic policy would not be determined by Brussels should it decide to remain outside the single currency. Far from brushing off Mr Redwood's request, Mr Clarke undertook to try to come back with "the best possible text" which would be "copper-bottomed".

This did not entirely square with the Chancellor's answer to Bill Cash's demand that he veto any agreement until such a written confirmation had been delivered. "We do have to address what is exactly being proposed," said Mr Clarke, "not what we fancy being proposed or what we would like

to be proposed." If we want other states to include in the documentation a copper-bottomed guarantee, we have to propose it ourselves. Mr Clarke has agreed to re-open negotiation to strengthen the texts in Britain's favour. He can hardly return to the House with nothing to show for his efforts.

Any success he may have will set an important precedent since further legal texts bearing on Britain's freedom of manoeuvre will follow in the months to come. The lesson of the past few years in Europe is that, when Britain tries to exercise an opt-out, measures are introduced by stealth to reduce the value of that opt-out. Other European countries have a strong interest in trying to make life uncomfortable for Britain outside EMU. The more this country takes advantage of its flexibility — on interest rates, exchange rates or borrowing — the stronger will be the pressure to find a way to inflict a punishment. It is imperative, therefore, that the wording of the agreement on the single currency is watertight, so unambiguous that the European Court cannot possibly interpret it in a way that would be detrimental to British interests.

If Mr Clarke goes to his Ecofin meeting next Monday with this intention paramount in his mind, then the absence of a proper debate between now and then will not be quite so serious. Indeed, there is some merit in the House being able to debate what the Chancellor brings back from Dublin rather than what it hopes he might achieve.

But a sour smell still hangs over this episode. MPs are rightly fearful that the Government will enter into an agreement binding on future administrations without their having had a chance to express their opinion on a meaningful motion. Even now, after all the fuss, there will be only an "extended" adjournment debate on the matter. A subject that will be much more important to Britain's long-term economic future than today's Budget deserves better than that.

## THE ANGLICAN AGENDA

Organisation and other tasks for the General Synod

In the last decade the introduction of women priests has dominated and divided the Anglican faith. One of the many consequences is that other matters concerning the working of the Church could not receive full attention. This oversight has to be rectified by the General Synod this week. Such concentration is apt, as the Church now is enjoying a brief respite before the vexed status of homosexuality within its ranks provokes another period of tumult.

The challenges facing the synod are daunting. The number of full-time stipendiary clergy will drop to little more than 9,000 by the end of the decade, a fall of nearly 20 per cent in ten years. As a result, for the first time in its history, the number of retired clergy now exceeds those actively preaching. This will place further financial burdens on the dioceses and parishes who will be expected to meet 90 per cent of the expense of parochial ministry. Meanwhile, attendances on Sundays have stabilised at unsatisfactorily low levels.

In response, fundamental changes will be considered over the next few days. The most important concern the recommendations of the Turnbull Commission on the Organisation of the Church and the Howe Commission on Cathedrals. Advocates believe they will modernise the structure of Anglicanism. In the process, present traits, an extreme distrust of leadership and excessive enthusiasm for committees, might be mitigated. Opponents question whether the core of the Church's crisis lies in these areas and are deeply suspicious of the bureaucracy and centralism implicit in these schemes.

The Turnbull reforms stress the "urgent

need" to reshape institutions and provide "a single focus of leadership and responsibility". The solution offered is an Archbishop's Council, comprising no more than twenty members, that would in practice, serve as an Anglican cabinet. The chief casualty would be the Church Commissioners who have been left vulnerable by their, hardly unique, misfortunes on the property market in the 1980s. This is a sharp switch from 25 years of ever greater devolution of authority within the Church.

The Howe deliberations venture into equally treacherous territory. They would end traditional arrangements by which England's cathedrals are run by deans and chapters constrained by ancient statute. In its place the canons would be responsible to new councils chaired by an appointee of the bishop. This proposal has gathered momentum because of embarrassing feuds at Lincoln and Hereford cathedrals. It would represent a sizeable increase in the influence of bishops in some cases, in others a severe reduction in laity power. Many in the synod are not persuaded that the specific problems recently encountered justify such a reform.

This synod is open to criticism. Reorganisation alone will not make Anglicanism more relevant. While synod debates will be held on racism in the Church, the debt burden for developing countries, and animal welfare; the enormous public interest in the moral climate of modern Britain, ignited initially by Frances Lawrence, will receive little mention. The Church of England must address more than internal administration if it wants to restore its proper standing in the life of the nation.

## HOPES AND HOMES

The State is no longer housebound

There are few more telling snapshots revealing the changes of the past fifteen years in British life than the state of debate about housing. The Environment Secretary John Gummer yesterday launched a consultation paper on where Britain's new houses should go: in the cities or in the countryside. The private-sector developers, keen to site new houses in green fields, and the rural lobbyists, eager to make new houses sprout from the decay of existing cities, are so wrapped up in their argument that they may not have noticed how much the last years of the 20th century differ from the preceding age.

From the moment that the industrial revolution sucked families from the farm fields to the smokestacks, British governments have had to worry about whether there were enough houses. Throughout the first half of this century, Labour and Liberal politicians competed to show that they would build more modern homes than their rivals, gradually taking over from philanthropic industrialists who built garden cities and state-of-the-art housing estates.

The Second World War released pent-up hopes of social improvement. Bombing had wrecked many inner cities. Council house waiting lists stretched 20 years into the future in the early 1950s. As a young MP, Denis Healey remembers a man arriving at his weekly constituency surgery with a jam jar full of slugs which he had collected from the slimy walls of his council flat. The

Conservative Party, inspired by the idea of "property-owning democracy", joined the competition. No election campaigner of the 1950s or 1960s spoke for long without mentioning his party's manifesto commitment on new housing "starts".

Mr Gummer is still wrestling with too few houses for too many people. But he works free from the burden of unrealistic expectation. The State may have a role in making strategic environmental choices which the market will not make wisely, a pump may be primed here or there. People still live in poor and degrading houses. But the public sector is not expected to lift every rod and mix every batch of concrete. Spending on council housing is falling to under a third of what it was in 1979. Opposition parties do not pretend that they will reverse this change, but concentrate on ideas about reviving the rented sector.

That profound shift in attitude frees government to look to its real responsibilities and encourage new thinking. Longer lives, more divorces and changing patterns of work mean that Britain will have 4.4 million more households in the year 2016. Mr Gummer's core conclusion that this building must not all occur in what is now countryside and that, with effort and imagination, land can be used inside cities is right. While 20th century governments have striven to put a roof over our heads, those in the next century must protect the endangered green beyond the city's edge.

## Anger at contempt for Parliament

From Mr Alan Howarth, MP for Stratford-on-Avon (Labour)

Sir, It is not only in respect of crucial European regulations that the Government shows its contempt for Parliament.

In January this year ministers bulldozed through the House of Commons 160 pages of regulations under the Jobseekers Act — the real substance of this legislation — along with regulations under four other statutes, all in a procedure which does not permit amendments, in three and a quarter hours.

The Department for Social Security has taken to implementing regulations before they have even been debated by Parliament. Today regulations changing the way earnings are calculated in the assessment of social security benefits will take effect before they have been subject to any parliamentary scrutiny.

This follows equally high-handed behaviour over amendments to social security appeals procedures, where ministers made consultation with the public as much a mockery as they make parliamentary procedure. They issued a consultation document with consultation to conclude on October 25, but they laid the new regulations on September 27, while the House was in recess, and brought them into effect on October 21: the regulations were not debated by Parliament until November 7.

The Parliamentary Under Secretary sought to argue that these regulations were of minor import, but their effect will be to make it significantly less likely that appellants will receive justice.

The Government takes it so much for granted that it will get its way with Parliament that Benefits Agency leaflets describing changes, as for example on the new Computation of Earnings Regulations, are distributed not only before regulations are scrutinised but without any reference to change being subject to parliamentary approval.

Yours faithfully,  
ALAN HOWARTH,  
House of Commons,  
November 25.

## Channel Tunnel

From the Managing Director of the Dover Harbour Board

Sir, You reported (November 22) that the Port of Dover had lost almost half its business to the Channel Tunnel in the past two years. In fact the reduction in traffic through the port since 1994 is about 15 per cent and even without this unfortunate fire the Port of Dover would have handled considerably more lorries, cars and coaches than the tunnel this year.

Yours etc,  
JONATHAN SLOGGETT,  
Managing Director and Register,  
Dover Harbour Board,  
Harbour House, Dover, Kent,  
November 22.

From Dr Roger R. Dawson

Sir, After air crashes I do not recall hearing calls for a complete redesign of aircraft to withstand the impact of a fall from 35,000 feet, or of a head-on collision at 15,000 feet, or the consequences of an on-board fire while on the ground.

Is there one rule for aircraft and another for freight trains?

Yours sincerely,  
ROGER DAWSON,  
The Gables, Parsons Hill,  
Hollesley, Woodbridge, Suffolk,  
November 23.

From Mr Robert Freer

Sir, Perhaps anyone planning a second crossing will now have the foresight to build a bridge.

Yours faithfully,  
R. FREER,  
14 Allyn Crescent, SE21,  
November 23.

## What's in a name?

From Mrs Catherine Money

Sir, I was born with a surname that was constantly misspelled and mispronounced (letters, November 14, 21). My mother urged me during my formative years to marry a "better surname". She also constantly extolled the virtues of love, companionship, integrity and fidelity as being more valuable than the material trappings of life.

I reckon, however, that I hit the jackpot.

Yours faithfully,  
CATHERINE MONEY (née Wike),  
Biddles Farm,  
Chobham, Woking, Surrey,  
November 21.

## A Belfast summer

From Dr Allan H. Fawcett

Sir, How idyllic it is for the dates of the Cambridge summer term to be determined by the dates of sports meetings at Goodwood and Henley (letter, November 22): our year is determined by the date of the 12th of July.

Yours faithfully,  
ALLAN FAWCETT,  
The Queen's University of Belfast,  
School of Chemistry,  
David Keir Building, Belfast,  
November 22.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

## US 'blow' to UK aerospace industry

From Mr Mark Hendrick,  
MEP for Lancashire Central  
(Socialist Group (Labour))

Sir, The decision by the United States Department of Defense not to further consider the bid by the McDonnell Douglas-led consortium (which includes British Aerospace) to build the Joint Strike Fighter aircraft (JSF) (report, Business, November 18), is a hammer blow to the UK and to UK industry. The JSF will use vertical take-off and landing technology which was originally developed in the UK, and subsequently sold to the US. While there is still the possibility of BAE involvement in the US project, we have a scenario where BAE is likely to pick up the crumbs rather than take its fair share of the loaf.

The lessons from this decision are clear — the UK cannot rely upon the US for involvement in their leading-edge aerospace developments in the defence sector, and should not even consider it in the civil sector. The only future for the UK in aerospace is in Europe, working with European partners. This does not just make economic and commercial sense, but is strategically important if Europe is not to continue to rely upon the US for its military security in the next century.

## Prison sentences

From His Honour Joseph Dean

Sir, Readers, by now accustomed to bizarre items of prison news, may not have understood from your headline, "High Court condemns prison confusion" (November 16), that what the Lord Chief Justice was condemning was not the prison authorities, still less the Home Secretary, but the failure of his own judicial brethren to observe Section 104(2) of the Criminal Justice Act 1967.

Under this section all terms of imprisonment, concurrent or consecutive, are to be treated as a single term, so that the whole of the time spent in custody awaiting trial is deducted under Section 67 of the Act from the total effective length of the sentence. However, in four decisions of the High Court between 1982 and this year concerning the calculation of time on remand Section 104(2) was not mentioned in the first two; in the third it was mentioned but assumed (wrongly) to have been repealed, and in the fourth

it was ignored as irrelevant. These decisions confirmed the practice of apportioning remand time to different terms of the sentence, with unequal consequences for different prisoners. They appeared also to be consistent with the guidelines intemperately introduced by the Prison Service last summer, under which remand time was to be deducted cumulatively from each consecutive sentence.

The Home Secretary put a stop to that and was upheld by the Court, and the four rogue decisions have now been overruled. But none of the confusion and expense caused by prisoners being released when they ought not to have been and other prisoners not being released when they ought to be would have occurred if the interpretation section of the Act had been observed from the start.

Yours etc,  
M. HENDRICK,  
(Labour Spokesperson for Economic, Monetary and Industrial Affairs in Europe),  
European Parliament,  
97-113 Rue Belliard, Brussels 1047,  
November 18.

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Yours faithfully,  
JOSEPH DEAN,  
The Hall,  
West Brabourne, Ashford, Kent,  
November 19.

## Defence under Healey

From Mr Alan Lee Williams

Sir, I accept that in the light of the Falklands War Denis Healey's decision to cancel the CVA-01, a large aircraft-carrier, looks sadly mistaken, as Vice-Admiral Sir James Jangus eloquently argues (letter, November 14; see also letter, November 19) in his rebuttal of my contention (letter, November 5) that Lord Healey must rank as the best Secretary of State since the Second World War. But, as Sir James concedes, the reason for the cancellation of the big aircraft-carrier lies not in the myopia of Denis Healey, but in the badly argued case made out by the Navy Board in 1965.

The decision to cancel the aircraft-carrier in the context of Britain's role East of Suez was greatly complicated by the intense conflict between the Royal Navy and the RAF over the im-

portance of long-range tactical air power. The Navy appears to have agreed with the RAF's contention that the F111 swing-wing aircraft was vital to operations in a sophisticated operational environment, but was unable to persuade the RAF that the aircraft-carrier programme was vital in an East of Suez scenario. The policy hinged upon the F111 and this aircraft in historical retrospect should not have been cancelled.

Lord Healey fought and lost the battle to keep the F111 and should have resigned. His failure to do so casts a shadow over his reputation as arguably the best Secretary of State for Defence since the Second World War.

Yours sincerely,  
ALAN LEE WILLIAMS  
(Parliamentary Private Secretary to Denis Healey, 1968-70),  
Reform Club, Pall Mall, SW1,  
November 19.

## No joking matter

From Professor A. T. H. Smith

Sir, We are all no doubt delighted that Bob Monkhouse has got his jokes back (report, November 19). But may he unwittingly have broken the law in his understandable anxiety?

Section 23 of the Theft Act 1968 provides that it is an offence to advertise for a reward and in doing so to use "any words to the effect that no questions will be asked".

It is a silly law, no doubt, and since it was designed to stop the activities of the 18th-century "thief-takers", Jonathan Wild, has probably served its purpose. Has the time come for it to be repealed, perhaps?

Yours faithfully,  
A. T. H. SMITH  
(Professor of Criminal and Public Laws),  
Gonville and Caius College,  
Cambridge,  
November 19.

## Oxbridge blues

From Dr Robert Baker

Sir, How satisfying to have my own Oxbridge bias confirmed by Mr Tim Houghton and friends (letter, November 22). My colleagues and I chose a "lesser" university, thereby escaping the need to devote ourselves to a single topic of conversation and interest for the rest of our lives.

On average it seems to take an Oxbridge graduate about eight minutes to introduce the subject unwittingly into a conversation, and a very great deal longer to abandon it.

Yours sincerely,  
ROBERT BAKER (Lecturer),  
University College London,  
Department of Medicine,  
The Windeyere Building,  
Cleveland Street, W1,  
November 22.

Letters for publication may be faxed to 0171-782 5046.

## Worry at medical advertising policy

From Sir Rodney Sweetnam,  
President of the Royal College  
of Surgeons of England

Sir, In a surprising change of policy, the General Medical Council decided earlier this month that specialists are now free to advertise. The implications of this about-face are worrying. Patients needing specialist advice are normally directed wisely by their referring general practitioner, who in turn provides the consultant with essential background medical information. Patients may need to be told of the services that GPs provide, but it is the GPs who are best placed to guide them to the right specialist, probably from amongst the majority who will not wish, or need, to advertise.

What of the patient who succumbs to the blandishments of the minority who will advertise? Do they simply bypass their GP and accept advice which is inevitably lacking in knowledge of the medical background, or will they demand referral to a specialist who has advertised? No doubt there will soon be advertisements for highly specialised services, not thought to be available locally.

The understandable demands generated are likely to undermine good general medical practice and fuel demands for ever-increasing sub-specialisation in medicine. There are resource implications, perhaps balanced by phasing out the custom of GP referral.

Our present system works well and is widely respected. Why change it?

Yours sincerely,  
RODNEY SWEETNAM,  
President,  
The Royal College of Surgeons of England,  
35-43 Lincoln's Inn Fields, WC2,  
November 22.

## Synod proposals

From the Chairman of the  
English Clergy Association

Sir, Banns of marriage are called in question by a motion put down in General Synod. The calling of banns is a hallowed preliminary to marriage, which makes young couples feel that they have a welcome, and indeed honourable place in church on Sunday mornings.

In over 30 years of parish ministry I have seen this sometimes tentative attendance blossom into worship, commitment and Confirmation. Indeed, several members of my parochial church council joined us because of the calling of banns. I hope the synod will stay its hand.

Yours faithfully,  
JOHN MASDING, Chairman,  
The English Clergy Association,  
Hamstead Vicarage,  
Walsall Road, Birmingham,  
November 24.

From the Provost's Warden,  
Coventry Cathedral

Sir, A special meeting of Coventry Cathedral congregation on Saturday, November 23, expressed dismay that the draft legislation presently before General Synod cuts by approximately one half the lay participation in the administration of our cathedral.

The present governing body, Coventry Cathedral Council, includes 11 clergy and 14 laity. Of the 14 laity five churchwardens and four other representatives are elected each year at the AGM.

The lay members of Coventry Cathedral are not happy to sacrifice a well-established pattern of lay involvement, which has proved its success since the 1960s, solely in the interests of uniformity of cathedral government.

Yours faithfully,  
MARTIN R. WILLIAMS,  
Provost's Warden,  
Coventry Cathedral,  
26 Styvechale Avenue, Coventry,  
November 25.

## Cheek to cheek

From Mr A. E. Brewer

Sir, In my early formative years from 1932 (and continuing) the Kinema at Wansstead, London, provided a back row of double seats without intervening arms (letters, November 18, 21). Moreover, they were curtained off at the back and sides.

We considered the management to be extremely enlightened.

Yours faithfully,  
ALAN BREWER,  
154 Evelyn Avenue,  
Ruislip, Middlesex,  
November 22.

From Mr Douglas A. Gohl

Sir, In 1939, my wife-to-be, my friend and another young lady went to the cinema and were ushered to the double seats.

Unfortunately for my friend, his girl was sat with me and we must have been too embarrassed to change over in the crowded cinema. Nine years later, after the war, I married her, and we celebrate our Golden Wedding in 1998.

Neither of us can remember the film we went to see.

Yours, with the benefit of Divine Intervention,  
D. GOHL,  
Ridgeway,  
Ings Lane, Lutteringham, York,  
November 22.







## OBITUARIES

## MOHAMED AMIN

Mohamed Amin, MBE, television cameraman, died in a plane crash on November 23 aged 53. He was born on August 29, 1943.

What Mohamed Amin should die in the course of an event that made front-page news was itself not very surprising. His 30-year career as one of Africa's foremost frontline cameramen took him often into dangerous places and threatening situations. For once, however, on this last occasion, the story in which he was caught up was not one that he was following himself.

When Ethiopian Airlines flight ET1981 was hijacked in Addis Ababa at the weekend, Amin was on board as a passenger, returning after a business meeting to his home in Nairobi. He was one of those killed when the plane crashed into the sea off the island of Grand Comore.

"Mo" Amin had already, in the words of his friend and frequent collaborator Michael Burk of the BBC, "lost several of his nine lives". It was on one of his assignments with Burk, 12 years ago, that Amin took some of the most powerful pictures in television history: his film of the devastating effects of famine in Ethiopia met with an extraordinary public response.

The pop star Bob Geldof was among those horrified into action in October 1984 by Amin's pictures of the dead and dying. "I sat there," he said, "feeling horrified, ashamed and disgusted. What could I do personally?" Burk and Amin's moving reports prompted countless others to ask the same question.

Most of the leading figures in British pop joined Geldof in recording a song to raise money for famine relief. The resulting record, *Do They Know It's Christmas - Feed The World*, sold more than 2½ million copies in under three weeks in Britain; in the US it sold 3 million copies in the first five days. The Band Aid appeal, as it was called, seized the public imagination in a way few other fund-raising efforts have matched.

Within less than a year, the international relief effort had distributed some 900,000 tons of food aid to nearly 8 million



Mohamed Amin recording some of the first pictures of famine victims in Tigre province, Ethiopia, October 1984

people, along with \$63 million of government-purchased imported wheat. In the longer term, questions were to be raised about how effectively the aid had been channelled to those who needed it most; and when Burk and Amin returned to Ethiopia in 1989, they found disaster threatening once more. But Amin's 1984 pictures undoubtedly helped to save millions of lives. As Geldof observed: "Mo Amin succeeded above all else in showing his own disgust and shame and anger and making it yours also."

In fact, Amin had drawn attention to what was then still "one of Africa's greatest tragedies in the making" several months before his television pictures shocked the world. In May 1984 he wrote a front-page story in Nairobi's *Sunday Nation*, warning that the "worst drought in Ethiopia's history" had spread into the country's once fertile highlands and was affecting more than a fifth of the population. That early report was based on 12 gruelling days spent

travelling by DC3 aircraft, helicopter and four-wheel-drive vehicles in Ethiopia and neighbouring Djibouti. The determination was typical. A warm, witty and generous man at heart, Amin was absolutely driven when it came to pursuing a story, and had a ferocious appetite for work. Seven-day weeks and eighteen-hour days were not uncommon, and he often started work at 2am, so as to make the most of the quieter part of the day. He had a pen, using force of personality to cut through red tape and sweep aside obstructions.

Mohamed Amin was born in Nairobi, the son of a Punjabi stonemason employed on the East African railways. At the age of 11 he acquired his first camera, a Box Brownie; two years later, with his schoolboy coverage of an East African car rally, he took the first confident step towards his future career. Self-taught as a photographer, for much of his life he worked for the Visnews agency

and its successor, Reuters Television, supplying pictures to all the major networks around the world. Eventually he became head of the agency's African bureau. He was usually at the centre of events. Early in his career, for instance, he was arrested and tortured while reporting a coup in Zanzibar and released only after diplomatic pressure. And in 1969 he was named British Cameraman of the Year for his coverage of the assassination of Tom Mboya, Kenya's economic and planning minister, as well as filming the event. Amin had helped to get the wounded politician to hospital in Nairobi. In the 1970s his work drew world attention to the atrocities of Idi Amin in Uganda.

A distinctive swaggering gait was one legacy of the 17 serious car accidents he was involved in during 30 years on Africa's treacherous roads. More serious damage came in Addis Ababa in June 1991, as the Ethiopian capital fell to rebel forces. Filming the fighting, again with Michael

Burk, Amin was a hundred yards away from an arms dump when it exploded. He lost his left arm; his Kenyan sound recordist, John Mathai, was among more than a hundred people killed.

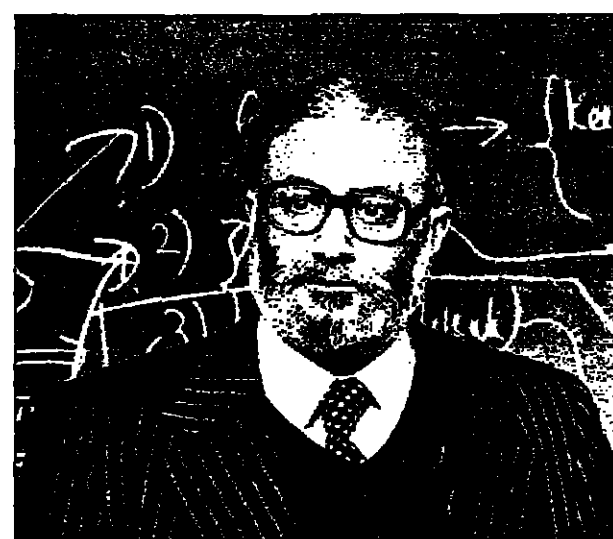
The loss of an arm would have ended most cameramen's careers. Amin, however, acquired a specially adapted camera and a highly sophisticated artificial limb, and returned to work. Among his first projects was a documentary about other amputee victims of war.

In recent years he had concentrated on running his own company, Camerapix, in Nairobi. As well as supplying news reports and pictures, the company published a number of books, among them an illustrated account of a journey through Zimbabwe, a study of what Amin feared might be the last days of the Masai tribe, and a guide to Ethiopia. Amin was appointed MBE in 1992.

Mo Amin is survived by his wife, Dolly, whom he married in 1968, and by their son.

## PROFESSOR ABDUS SALAM

Professor Abdus Salam, theoretical physicist and Nobel laureate, died on November 14 aged 70. He was born on January 29, 1926.



THE death of Abdus Salam leaves the world of theoretical physics without one of its most distinguished and respected members. Born in Jiang, Pakistan, he was soon to display the outstanding creative ability that was such a consistent feature of his professional career. Indeed, his first published scientific paper was produced at the early age of 17. Undergraduate and postgraduate degrees followed from Government College, Lahore, and from the University of Cambridge.

The focus of his research work was quantum field theory, with particular emphasis on the long-term goal of finding a unified approach to the fundamental forces at work in the worlds of nuclear and sub-nuclear physics. In the 1960s Salam was closely involved with the attempts to construct a theoretically coherent account of the "strong" interactions that bind together the constituents of nuclei.

The mathematical techniques on which he worked at that time provided the foundations of the developments that followed — a sustained programme of research culminating in his construction of a theory that unified the electric and magnetic forces with the "weak" nuclear force responsible for the radioactive decay of elementary particles. The dramatic confirmation of this theory by experiments at the European particle-accelerator facility CERN led to his sharing the 1979 Nobel Prize for Physics with the American physicists, Sheldon Glashow and Steven Weinberg. This critical theoretical development became the central component of what became known as the "standard model" of the electromagnetic and nuclear forces.

The incorporation of the gravitational field into this unified picture is a notoriously difficult problem and it is no surprise that this is another area to which Salam turned his formidable attention. The solution of this particular issue remains elusive but, working in his long-term collaborator John Strathdee,

Salam developed some of the main tools for handling the "superfields" that later became a major ingredient in the development of supersymmetry theory — currently one of the most promising approaches to the problem of adding gravity to the list of unified forces.

In addition to his brilliant intellectual gifts, Salam was a man of remarkable vision and outstanding energy who played a major role in developing science throughout the world. Of particular significance was his success in 1964 in persuading the Italian Government and the United Nations to found a research institute for theoretical physics in Trieste, Italy, the prime mission of which was to provide a base for young scientists from the developing countries to carry out research with each other and with visitors from the West.

Salam was the director of the International Centre for Theoretical Physics from 1964 to 1993, and it is a striking tribute to his charismatic and energetic personality that the Centre survived, and indeed flourished, notwithstanding the numerous political difficulties that inevitably accompany an international project of this kind.

Abdus Salam was a member of the Ahmadiyah branch of the Islamic religion and would sometimes lead prayers for fellow Muslims visiting the Centre in Trieste. Although his membership of this particular sect caused some difficulties in his relationships with his home country, he never forgot his natural affiliation

with the developing nations. He was also deeply concerned about the proliferation of nuclear weapons and served on many high-level committees involved in the promotion of international peace and collaboration and in the development of peaceful uses of atomic energy.

Salam's outstanding scientific and political achievements were recognised in many ways in addition to his receipt of the Nobel Prize. He was elected to fellowship of the Royal Society at an early age and received its Copley Medal in 1990. He was elected a member of scientific academies and societies in 24 countries and received a large number of honorary degrees. He was made an honorary KBE in 1989. He received nine medals for his contribution towards peace and the promotion of international collaboration.

On a personal level, Salam was a striking man. Any young scientist who had the privilege of working closely with him invariably found it to be an exhilarating and character-forming experience. In addition to his great intellectual gifts, Salam had a genuine sense of humour, including that rarest of qualities of being able to laugh at himself. A warm twinkle would often accompany his more unorthodox suggestions as to how exactly the foundation of physics should be revolutionised.

Abdus Salam was twice married. He had one son and three daughters by his first marriage and a son and a daughter by the second.

## J. EDWARD DAY

J. Edward Day, lawyer and Postmaster General of the United States, 1961-63, died on October 28 aged 82. He was born on October 11, 1914.

WHEN President Kennedy announced his choice of Postmaster General, few Washington insiders had heard of J. Edward Day. Indeed, Day was so little known in the capital at first, that at parties he was routinely mistaken for a security guard.

But within two years he had established himself as the resident wit in Kennedy's Cabinet, and was known to every American as the inventor of the ZIP code. He did not, of course, invent the concept without help from experts.

When he arrived in the huge Postmaster General's office ("a lobby looking for a hotel," as he described it), he was presented with reports on a variety of possible coding systems. Bureaucrats had been studying these exhaustively

for years, and had still not come to any firm conclusions. Swiftly, Day lost patience with the lot of them, and simply announced in December 1962 that a new five-digit coding system would take effect from the following July.

Americans were unconvinced at first, and worried about the Big Brother overtones of a system which would reduce their postal identity to a series of numbers. Day calmed them by a spirited promotional campaign which

included Ethel Merman singing *Zip-A-Dee-Do-Do-Dah* on the radio, and by notifying every American household by post of the new changes. The new Zone Improvement Plan (ZIP) was a tremendous success, greatly easing the sorting of mail and speed of deliveries.

James Edward Day had not been active in Kennedy's presidential campaign. He was a player in Democratic politics at a local level in his home state of Illinois, but Kennedy

certainly owed him nothing. He was chosen for the post largely because he was an excellent administrator, but also perhaps because, as Day succinctly put it: "I went to Harvard, I served in the Navy and my wife went to Vassar." It was at Harvard, where he studied law, that he first met Kennedy.

After a spell in a Chicago law firm, he was taken under the wing of Adlai Stevenson (then Governor of Illinois) as first legislative assistant, and later state commissioner of insurance. During the 1950s there was an eight-year stint at the Prudential Insurance Company. The dry nature of these administrative jobs made Day's robust sense of humour in his role as Postmaster General even more surprising. He once turned down a Meat Association's request to introduce a stamp featuring a hamburger by announcing that, after chewing their suggestion over, he had decided to put it on the back burner.

But Day was finding it hard to live on his modest government salary and resigned a few weeks after ZIP codes were introduced. He returned to the lucrative world of law and in retirement to a farm in Maryland, where he attempted, not entirely successfully, to raise yaks, along with his llamas and cattle.

He is survived by his wife Mary and their two daughters.

## VERA VON DER HEYDT

Vera von der Heydt, Jungian analyst, died on November 14 aged 96. She was born on December 11, 1909.



EVEN on her very first meeting with Carl Jung, Vera von der Heydt felt an immediate and profound identification with him. A practising analyst, she had for many years taken an interest in psychology and, when Jung invited her to Zurich for a year to undergo analysis with him, she accepted eagerly.

Later, in a televised account of her life, *The Light of Experience*, Vera von der Heydt, a Jew who had fled from Berlin with the rise of the Nazis, described how Jung's analysis had unlocked memories which she had always sought to suppress. Without realising she was doing so, she had spoken to him in her native German.

She went on to become a leading influence on Jungian circles in Britain, her impressive bearing and commanding demeanour backed up by a deep understanding of the Jungian tradition of analysis.

Vera von Schurabach — as she was before her marriage — was born in Berlin, the daughter of a prominent Jewish banker. She was barely 19 years old when she married Baron Eduard von der Heydt. They spent their honeymoon at Ascona in Switzerland, in an exclusive hotel which her husband owned. It was there,

some 30 years later, that she was to meet Jung for the first time.

Eduard von der Heydt was one of the bankers for Kaiser William II. The marriage was never an easy one and in 1927 it ended in divorce. Neither of them was ever to marry again.

With the rise to power of the Nazis in 1933, Vera left her family and home to live in London where she secured a job as an assistant to an executive of Metro-Goldwyn-Mayer. However, this was not to satisfy her for long, and she moved to Amsterdam where she studied palmistry under Julian Spier. But she had also begun to take an interest in the Roman Catholic faith. On her return to England she was instructed and received into the Church by the fashionable Jesuit priest Father Martin d'Arcy. Her religion from then on was the focal point in her life.

At the outbreak of war, Vera

von der Heydt was living in Oxford and it was there in 1941 that she began a three-year analysis. She was particularly interested in the connections between the Christian faith and psychology. Soon she moved to Edinburgh to work as an analyst at the Davidson Clinic — a pioneering psychotherapeutic clinic. She was to remain there until 1951, though with one significant break — when she went on sabbatical to be analysed by Jung.

In 1951 Vera von der Heydt set up practice in London. She continued to analyse, now with Dr Gerhardt Adler, one of the leading Jungians in Britain. They were to work together until 1975. At the time there were two Jungian traditions running in parallel: that representing the Zurich training still looking directly to an oral tradition from Switzerland, and the more formalised (English) Society of Analytical Psychology which was based in London. In 1975 the Association of Jungian Analysts was formed.

Vera von der Heydt was still seeing clients when she was in her eighties. But her chief influence was always upon the dissemination in Britain of Jung's methods of analysis and teaching practices. This she achieved mainly through the guild of pastoral psychology which she chaired for many years.

She leaves no direct survivors.

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## Court of Appeal

## Law Report November 26 1996

## Court of Appeal

## Service on business address is valid

## Council not liable to victim of its crime

**Robertson v Banham & Co (a firm)**  
Before Lord Justice Roch and Mr Justice Connell  
[Judgment October 31]

Service of proceedings on a professional person at his "usual or last known address" meant his usual or last known business address. Accordingly, putting a writ in an envelope addressed personally to a partner in a firm of solicitors, through a letter-box at his last known business address would be proper service under Order 8, rule 3(1)(a) and Order 10, rule 1(2)(b) of the Rules of the Supreme Court.

The Court of Appeal so stated allowing an appeal by the plaintiff, Mrs Felicity Robertson, from a decision of Mr Douglas Day, QC, sitting as a deputy High Court judge, given on November 11, 1994. The judge, reversing the earlier decision of a master, had held that service of a writ by the plaintiff on the defendant firm, Banham & Co, was not valid and that therefore the judgment in default of defence was obtained irregularly and should be set aside.

By writ dated January 13, 1994, the plaintiff had started an action against two solicitors, Mr Ian Southward and Mr George Banham, who had acted as Banham & Co at 28 The Cheese Market, Salisbury.

On January 14, 1994 the plaintiff put the envelope containing the writ addressed to "Ian Southward" through the letter-box of the premises of the Griffiths Barham Partnership at Griffin House, Salisbury. Later that morning the envelope and its contents came to the attention of Mr Southward who then informed his professional negligence insurers.

Unknown to the plaintiff, as at January 13 and 14, 1994, the firm of Banham & Co had been dissolved, Mr Banham going into retirement

and Mr Southward forming the Griffiths Barham Partnership with a Mr R. L. Griffiths.

On February 18, the plaintiff signed judgment in default of defence. On January 26, the defendant acknowledged service of the writ and indicated that the action would be defended.

Mr Robert Denman for the plaintiff, Mr Patrick Lawrence for the defendants.

**LORD JUSTICE ROCH** said that the issue before the master and the judge was whether the judgment of February had been regularly obtained by the plaintiff. If the writ was duly served on Mr Southward on January 14, then it was, if the writ was not duly served on Mr Southward entered an appearance on January 26, then the judgment was irregular.

Mr Denman submitted that the plaintiff had duly served the writ by placing the envelope addressed to Mr Southward through the letter-box of Griffin House, which was his usual and, to her, last known address.

Consequently, service had been duly effected on January 14, pursuant to the Rules of the Supreme Court. But for the decision of the Court of Appeal in *Marsden v Kingswell Watts* [1992] 2 All ER 239, his Lordship would have accepted that submission.

Service of originating process where partners were sued in the name of the firm was governed by Order 8, rule 3, unless the partnership had, to the knowledge of the plaintiff, been dissolved before an action against the firm was begun: see Order 8, rule 3(3).

Order 8, rule 3 enabled a writ suing partners in the name of the firm to be served in three ways so as to be deemed due service on the firm.

The first method was by service on any one or more of the partners, which might be personal service

on the partner or in accordance with Order 10, rule 1(2).

The second was service at the principal place of business of the partnership within the jurisdiction on any person having at the time of service the control or management of the partnership business. That was service on all the partners although the person served might not be a partner.

The third method was by ordinary first class post to the firm at the firm's principal place of business within the jurisdiction.

In the present case, the plaintiff relied on Order 8, rule 3(1)(a) claiming that the writ had been properly served on one of the partners, Mr Southward, on January 14. That in turn raised the question whether the events of January 14 constituted due service on Mr Southward under Order 10, rule 1(2)(b).

Certain matters had been established by decisions of the Court in *Marsden v Kingswell Watts* in respect of those rules, including that "last known address" meant the defendant's last address known to the plaintiff.

With the principle that the purpose of the rules was that the originating process should be brought to the attention of the defendant, what was meant by "usual or last known address" was that phrase to be confined to residential addresses: Free of authority his Lordship had no doubt that it should not be so confined.

First, examination of other parts of the rules such as Order 6, rule 5 made it clear that where the draftsman of the rules wished to confine the address to a party's place of residence he did so in express terms and that the same was true where the draftsman intended to refer to a business address.

Second, in the case of a professional person, the address known to the plaintiff was the address to which the plaintiff wished to sue the professional

person would be the address at which he practised his profession.

Next, there were some authorities which supported a purposive construction of the rules, albeit those were not authorities on Order 10, rule 1.

The present case was stronger because the phrase was "usual or last known address". When a solicitor was being sued as a solicitor, his usual address as a solicitor must be the address at which he practised.

That would probably be the only address known to the person who wished to serve the writ. That, in his Lordship's judgment, was the ordinary and natural meaning of those words.

In *Marsden v Kingswell Watts*, Lord Justice Leggatt said at p242: "If service by post or insertion through the letter-box is chosen it must be effected at 'his usual or last known address'. In my judgment, that means at the place where he lives or was last known to have lived."

"It did not mean at the address of the partnership, otherwise Order 8, rule 3 would have been so worded as to allow for insertion of a copy writ through the letter-box at the principal place of business of the partnership within the jurisdiction. The mode of service attempted was, in my judgment, therefore, bad."

His Lordship disagreed with that interpretation of the rules. Order 8, rule 3(1)(a) contemplated that service on any one or more partners under Order 10, rule 1 of a writ naming the partnership by its business name was to be deemed due service on all the partners although some were out of the jurisdiction.

Order 8, rule 3(1)(b) was not concerned with service on a partner or with delivery of the copy writ to a partner, still less with placing an envelope through the letter-box of a partner's usual or

last known address. It was concerned with delivery of the copy writ to the person having the management or control of the partnership business at its principal place of business.

The terms of that rule could not shed any light on the meaning of "usual or last known address" in Order 10, rule 1(2). The terms of a rule which was concerned with partners could not control the interpretation of a rule which affected service on persons who were not partners.

There was no need for Order 8, rule 3(1)(b) to have been worded according to Lord Justice Leggatt's interpretation.

Order 8, rule 3(1)(b) was not concerned with service on a partner but on a person who managed or controlled the partnership business at its principal place of business.

That rule was quite separate from service on "one or more partners". It was an additional method of service to those set out in Order 10, rule 1. It was not intended to limit or cut down the methods of service under Order 10, rule 1.

Consequently, in his Lordship's judgment, it did not follow from the wording of Order 8, rule 3(1)(b) that the words in Order 10, rule 1(2) "usual or last known address" must be confined to a partner's place of residence.

Were their Lordships bound by *Marsden*? In his Lordship's judgment they were not. The observations of Lord Justice Leggatt on the interpretation of "usual or last known address" were not necessary to the decision in that case. Accordingly, the appeal succeeded.

Mr Justice Connell agreed. Solicitors: Judge Sykes & Harrison for Palmer Hart, Bristol; Wansboroughs Willey Hargrave for Wansboroughs Willey Hargrave, Bristol.

**Hackney London Borough Council v Issa and Another**

Before Lord Justice Nourse, Lord Justice Saville and Lord Justice Brooke

[Judgment November 21]

A local authority that committed a criminal offence under Part III (Nuisances and Offensive Trades) of the Public Health Act 1936 was not liable in a civil action for damages at the suit of a person who had thereby suffered loss.

The Court of Appeal so held allowing an appeal by Hackney London Borough Council from Mr Assistant Recorder Crawford on August 17, 1995, in Central London County Court who ordered it to pay damages of £2,502 to the plaintiff, Imran Issa, and of £4,030 to his brother, Yasmin Issa.

Mr Richard Drabble, QC and Mr Ian Lewis for the council; Ms Laura Tagliavini for the plaintiffs.

**LORD JUSTICE NOURSE** said that the question was whether section 94 of the 1936 Act (Power of court to make nuisance order if abatement notice disregarded) by making it a criminal offence to make default in complying with the notice, also rendered the person guilty of the offence liable in a civil action for damages at the suit of any person who thereby suffered loss or damage.

In 1985 the plaintiffs' parents had been granted a tenancy of council accommodation at the Kingsland Estate, Homerton, London. The plaintiffs were then aged nine and seven. The premises, severely affected with condensation and associated mould growth, were prejudicial to health.

In June 1989 the council pleaded guilty before magistrates to an offence under sections 92(1)(a) and 99 of the 1936 Act and was fined £500 with compensation of £1,400 and costs awarded to the plaintiffs' father.

In 1992 the plaintiffs brought the action against the council claiming damages for ill-health allegedly suffered as a result of the condition of the premises, in particular through the aggravation of the asthma from which they both suffered.

The approach of the parking adjudicator to the case was to regard the question of who was the owner as one of fact and degree. In the circumstances, the adjudicator reached the conclusion, which was upheld by the Divisional Court, that the garage, and not Ms Francis, was the owner liable for the penalty charge.

Mr Wilkie submitted that the presumption of ownership in section 82(3) of the 1991 Act could only be rebutted in the ways mentioned in paragraph 2(4)(a) of Schedule 6 to the Act. In his Lordship's view, that was the correct approach.

Accordingly, a garage which accepted a vehicle for repair was not its owner within the meaning of section 82(3) of the Act. His Lordship would allow the appeal.

Lord Justice Morris and Sir John May agreed.

Solicitors: Mr M. B. A. Walker, Wandsworth; Charlton Axelson, Haymarket.

The assistant recorder decided, as a preliminary issue, that the criminal offence for which the council had been convicted rendered it liable for any loss or damage thereby suffered by the plaintiffs. He had then proceeded with the trial and awarded the plaintiffs the damages with interest.

It was important to emphasise that Part III of the 1936 Act, now replaced by Part III of the Environmental Protection Act 1990, was of wide and frequent application as between local authorities as regulatory bodies on the one hand and those who caused, suffered or permitted statutory nuisances to occur on the other, whereas the circumstances of the present case, where it was a local authority as landlord who was responsible for the nuisance, had to be comparatively rare.

However, if the 1936 Act gave the plaintiffs a civil remedy against the council, it had equally to give one to all those who suffered loss or damage as a result of statutory nuisances caused, suffered or permitted in the far more numerous cases already referred to, assuming that they did not already have a cause of action at common law.

It was common ground that the question depended on the true construction of Part III of the 1936 Act as a whole and that it was to be construed as at the date of its enactment. However, Mr Drabble, citing *dicta* of Lord Diplock in *Lord v Lord* [1982] AC 175, 183C, 185B-C and *Halsbury's Laws of England* (volume 45 (1985) paragraph 1283), submitted that Part III of the 1936 Act was a self-contained code dealing with the abatement of statutory nuisances and that there was no ground for construing it so as to incorporate the creation of a civil cause of action.

He added that since this was not a case where the only method of enforcement provided by the Act was prosecution for the criminal offence of failure to perform the statutory obligation, the two exceptions to the general rule stated by

Lord Diplock in *Lord v Lord* could not come into play.

Those submissions were correct. In answering them Ms Tagliavini, relying primarily on the judgment of Lord Justice Shaw in *McCall v Abeles* [1976] QB 585, 600, said, correctly, that the plaintiffs had no other effective remedy: the implied covenant that the landlord would keep the premises in a condition fit for human habitation, for the reasons stated by Lord Justice Shaw in *Quick v Taff Ely Borough Council* [1986] 1 QB 809, 821 not applying.

Moreover, Ms Tagliavini said, that covenant would have ensured only for the benefit of the parents as tenants and not for the plaintiffs themselves.

Notwithstanding the force of those submissions, there were decisive answers to them. First, the effect of Part III of the 1936 Act had to be judged at the date of its enactment, before the inflationary times which had since become familiar, when the landlord's implied covenant would have applied to those premises and to many like them.

Second, it was to be emphasised again that the court was not dealing with the normal case. In the normal case where a local authority was proceeding against someone who had caused, suffered or permitted a statutory nuisance to occur, those who suffered loss or damage as a result would have a cause of action at common law.

For those reasons, Ms Tagliavini's reliance on the third of Lord Justice Shaw's conditions laid down in *McCall v Abeles* did not enable her to avoid the force of Mr Drabble's submissions.

Furthermore, she had been unable to satisfy the second condition or to bring the case within the first exception to the general rule laid down by Lord Diplock in *Lord v Lord*.

The appeal should be allowed; the award of damages and interest discharged and the plaintiffs' action dismissed.

Lord Justice Saville agreed and Lord Justice Brooke gave a concurring judgment.

Solicitors: Mr Christopher Hyde, Hackney; Moss & Co, Clapton.

## Car owner liable for illegal parking by garage

**Regina v Parking Adjudicator, Ex parte Wandsworth London Borough Council**  
Before Lord Justice Stuart-Smith, Lord Justice Morris and Sir John May

[Judgment November 11]  
The registered owner of a vehicle at the time a penalty charge notice was fixed to it under the Road Traffic Act 1991 and not the garage then having the care of the vehicle was liable for the charge.

The Court of Appeal so held, allowing an appeal by the applicant, Wandsworth London Borough Council, from the refusal by the Queen's Bench Divisional Court (Lord Justice Schiemann and Mr Justice Brian Smedley) (The Times July 22, 1996) of judicial review of a parking adjudicator's

decision. On October 18, 1995 he allowed an appeal by Jane Francis against two penalty charge notices which had been served on her under Schedule 6 to the 1991 Act. At the relevant times the vehicle was in a garage for repairs and had been parked by the garage.

When the garage returned the vehicle to Ms Francis no mention was made of the notices and they remained unpaid. After inquiries to the Driver and Vehicle Licensing Agency, the council served the notices on Ms Francis as the registered owner of the vehicle. She appealed.

Section 66 of the 1991 Act provides: "(2) A penalty charge is payable with respect to a vehicle, by the owner of the vehicle, if—(a) the vehicle has been left—(i)

otherwise than as authorised by or under any order relating to the designated parking place..."

Section 62 provides: "(2) ... the owner of a vehicle shall be taken to be the person by whom the vehicle is kept."

"(3) In determining—(i) who was the owner of a vehicle at any time, it shall be presumed that the owner was the person in whose name the vehicle was at that time registered..."

Paragraph 2 of Schedule 6 provides: "(1) Where it appears to the recipient [of a penalty charge notice] that one or other of the grounds mentioned in sub-paragraph (4) below are satisfied, he may make representations to that effect to the London authority who served the notice on him..."

"(4) The grounds are—(a) that the recipient—(i) never was the owner of the vehicle in question; (ii) had ceased to be its owner before the date on which the alleged contravention occurred; or (iii) became its owner after that date..."

Mr Alan Wilkie, QC and Mr Ranjit Bhose for the applicant; Mr Richard Gordon, QC for the parking adjudicator.

**LORD JUSTICE STUART-SMITH** said that the "owner" of a vehicle, for present purposes, was defined by section 62(2) as the person by whom the vehicle was kept, and that person, by section 62(3), was presumed to be the person in whose name the vehicle was at the time registered under

the Vehicle Excise and Registration Act 1994.

The approach of the parking adjudicator to the case was to regard the question of who was the owner as one of fact and degree. In the circumstances, the adjudicator reached the conclusion, which was upheld by the Divisional Court, that the garage, and not Ms Francis, was the owner liable for the penalty charge.

Mr Wilkie submitted that the presumption of ownership in section 82(3) of the 1991 Act could only be rebutted in the ways mentioned in paragraph 2(4)(a) of Schedule 6 to the Act. In his Lordship's view, that was the correct approach.

Accordingly, a garage which accepted a vehicle for repair was not its owner within the meaning of section 82(3) of the Act. His Lordship would allow the appeal.

Lord Justice Morris and Sir John May agreed.

Solicitors: Mr M. B. A. Walker, Wandsworth; Charlton Axelson, Haymarket.

## Child is not 'property'

**Regina v Baker and Another**

For the purposes of the defence of lawful excuse under section 1(1) of the Criminal Damage Act 1971, it was not just the protection of property, but also the protection of the person from force, injury or imprisonment which should be permitted.

The Court of Appeal, Criminal Division (Lord Justice Brooke, Mr Justice McCullough and Judge Rivlin, QC) so held on October 17 in a reserved judgment dismissing

appeals against conviction by Janet Baker and Carl Wilkins, who since the offences in question had married one another, of criminal damage.

**LORD JUSTICE BROOKE** said that the appellants had, inter alia, caused damage to the front door of a house where the appellants believed the first appellant's daughter was being held, in order to rescue the child.

His Lordship said that the child did not represent "property"

within the meaning of section 5(2)(b) of the 1971 Act, but that difficulty would have been cleared had Parliament enacted the relevant provisions of the Law Commission's *Draft Criminal Code* (1989) Law Com No 177, namely clause 185(1)(b) and the note to that clause, to the effect that section 5(2)(b) should be replaced with a clause providing that not only protection of property but also the protection of the person should be permitted as a defence.

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# Unexpected goal for Kelly puts Hack on his way



NO CHANGE in the overall competition, as John Hunt continues, albeit by a reduced margin, to lead the race for £50,000 in *The Times* Interactive Team Football game. Indeed, his other three teams have also maintained their positions in the top ten.

The weekly winner — and the recipient of £250 — is a Sky entrant. Mr P. Hack, from Milton Keynes, scored 28 points last week with his team, Dynamo Blue Ribbon. Mr Hack's masterstroke was the selection of Gary Kelly, whose seven points made him the most valuable full back by some distance. The comparatively low total is due to a much-reduced tally of goals scored over the week.

Mr Hack's team is:

Goalkeeper  
D Kharine (Chelsea)

Full backs  
G Kelly (Leeds)  
I Nolan (Sheffield Wed)

Central defenders  
L Radabe (Leeds)  
D Walker (Sheffield Wed)

Midfield players  
A Asanovic (Derby)  
D Beckham (Manchester Utd)  
C Hignett (Middlesbrough)  
K Poborsky (Manchester Utd)

Strikers  
S Booth (Aberdeen)  
J Cadete (Celtic)

Manager  
J Royle (Everton)



A rare goal by Adams gave him valuable points as a central defender. But were you bold enough to select him?



You can move into the transfer market using the ITF transfer system which allows

you to change up to two players each week and to adjust your team if one of your players is actually transferred out of the FA Carling Premiership or Bell's Scottish League premier division.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone), call the 0891 886 968 line during the times given. From outside the United Kingdom, you must call 0044 990 200 688.

When making a transfer, you must ensure that the team does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the prizes — the overall £50,000, monthly £1,000 or weekly £250.

All *Interactive Team Football* transfer queries should be directed to 0171-757 7016. All other inquiries can be made on 01582 488 122.

**HOW THE SCORING SYSTEM WORKS IN ITF**  
All 1992-7 matches in the FA Carling Premiership, FA Cup, Bell's Scottish League premier division and Tarncliffe Scottish Cup from August 17 count for points. Penalty shootouts do not count but results decided in this way will count for managers.

POINTS SCORED			
Goalkeeper		Striker	
Keeps clean sheet*	4pts	Scores goal	2pts
Scores goal	3pts	All players	1pt
Saves penalty	1pt	Appearance	1pt
Full back/Central defender		Scores hat-trick	6pts
Keeps clean sheet*	3pts	Manager	
Scores goal	3pts	Team wins	3pts
Midfield player		Team draws	1pt
Keeps clean sheet*	1pt		
	2pts		

POINTS DEDUCTED			
Goalkeeper		Booked	1pt
Concedes goal	2pts	Concedes penalty	1pt
Full back/Central defender		Misses penalty	1pt
Concedes goal	1pt	Scores own goal	1pt
All players		Manager	
Sent off	3pts	Team loses	1pt

\* must have played for 75 minutes in the match  
\* must have played for 45 minutes in the match



## EXCLUSIVE ITF COMPETITION THE TIMES

# 12 pairs of Premier League tickets to be won plus lunch at Football Football

*The Times* Interactive Team Football and the fashionable London restaurant for sporting fans, Football Football, are offering a fabulous prize exclusive to entrants of our highly successful ITF.

You have the chance to win a buffet lunch and Christmas drink for two at Football Football plus two tickets to see Tottenham play Sheffield Wednesday. The match at White Hart Lane is on Saturday, December 21. Pairs of tickets are worth £40. We have 12 prizes to be won by ITF entrants.

Football Football, situated in the heart of London's West End, is a uniquely themed family restaurant, decorated with fascinating football memorabilia, state-of-the-art special effects and coverage from magic moments past and present on giant video screens.

The lively restaurant where you eat in a fun and informal atmosphere, is endorsed by the PFA and FIFA. Opened just nine months ago, Football Football has established itself as one of the places to visit in the capital.

For more information about Football Football, call 0171-757 7016 or visit our website at [www.footballfootball.co.uk](http://www.footballfootball.co.uk)



HOW TO ENTER

To enter (only players of *The Times* ITF game) send your name, your ITF team name, ITF pin number and the answer to the question below, on a postcard or the back of a sealed envelope to: *The Times*/Football Football, Comp, 30 Boulevard St, London EC88 4NG. Closing date: Friday, November 29, 1996. Winners will be drawn at random.

Against which country did England play their first match in Euro 96?

## CHANGING TIMES

**HOW TO MAKE A TRANSFER IN ITF**  
Call 0891 886 968

Telephoning from outside the UK, call 0044 990 200 688.  
You may make transfers only by telephone using a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone). You must use the two-digit selector PIN, which you will have to top up, not speak. Follow the simple instructions on the screen to make transfers.

You may only make transfers in one team per telephone call. If you have entered two teams and want to make transfers in both, you must make two separate calls.

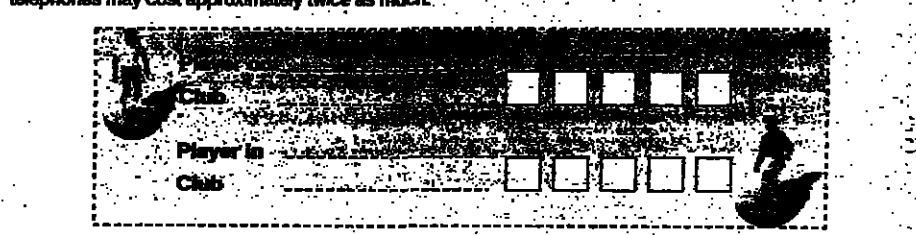
You may transfer two (but no more than two) individuals (two players or one player and a manager) during a transfer week. A player being transferred out must be replaced by one from the same category and you must keep to the team format of a goalkeeper, two full backs, two central defenders, four midfield players, two strikers and a manager. You must not exceed the £250 million budget and have no more than two individuals from the same club. Incorrect transfers will be rejected and your team will remain in its previous form.

The transfer week runs from 00.01 on Tuesday to midnight the following Monday. Transfers made before noon each day will become effective immediately. Transfers made after noon will become effective for matches played after noon on the following day.

Your new player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

If a player or manager moves teams during the season, it may affect the composition of your team. You must adjust your team by using the transfer system to avoid missing out on points.

Calls will be charged at 45p per minute (plus 5p per minute at other times). Calls made from public telephones may cost approximately twice as much.



THIS WEEK'S TRANSFERS		
52105...	Darren Huckerby (moves to Coventry City)	Newcastle £0.50m
50803...	John Spencer (moves to Coventry City)	Chelsea £0.00m
52706...	Bratt Angell	Sunderland £0.25m
LOANED PLAYERS		
D Wastall (Derby to Manchester City, three weeks), T Wright (Nottingham Forest to Reading, one week), R van der Lijst (Derby to Watford, three weeks), C Sackerson (Middlesbrough to Bristol City, one week), S Davies (Manchester United to Huddersfield, one week), M Jackson (Everton to Birmingham, one week), J Kavanagh (Derby to Wycombe, one week), J Cundy (Tottenham to Ipswich, two weeks), J Rotherham (West Ham to Bournemouth, two weeks), J Sheridan (Sheffield Wednesday to Bolton, three weeks), G Peacock (Chelsea to Queens Park Rangers, one month), M Stein (Chelsea to Stoke, one month), D Korpale (Tottenham to Swindon, one month). Loan periods subject to fluctuation.		

## THE LEADING 250 ENTRIES IN THE TIMES

Pos	Team	(Player's name)	Pts	Pos	Team	(Player's name)	Pts	Pos	Team	(Player's name)	Pts
1	John Hunt Taunton D	(J Hunt)	273	103	Team Jones Boys Sky	(M Jones)	219	219	Wesley's Ray Goss?	(P Forran)	214
2	Sophia And Sam	(G Foster)	268	104	March Pass	(M McGovern)	219	173	Robbie 21	(J Brown)	214
3	John Hunt Taunton H	(J Hunt)	267	105	Sky Rockets	(K Fernall)	219	184	Albin Harris XI	(A Hynes)	213
4	Skyforest	(A Burton)	266	115	G Money FC	(G Samuels)	218	184	Obviousity	(B Wilford)	213
5	Jones Boys Three	(M Jones)	265	115	Inter The Waller	(M Ward)	218	184	Stasham Town	(M Aldred)	213
6	John Hunt Taunton F	(J Hunt)	260	115	Ac's High	(N Avery)	218	184	Triple Top Ten	(P Bailey)	213
7	Scholar For Goals	(K Booth)	254	115	Ac's 2	(J Clayton)	218	184	Rocky Boys	(R Crook)	213
8	John Hunt Taunton E	(J Hunt)	253	115	Real Ale Ripon	(C Blackshaw)	218	184	Hospital Hostels	(P Pinner)	213
9	NST Monkstone	(J Staszewicz)	250	115	Trouble Shooters	(R Pitt)	218	184	West Brom The Best	(A Martin)	213
10	Gangsters	(A Lorne)	249	115	Central Athletic	(N Skipper)	218	184	FC Big Handle	(J Palmer)	213
11	Mean Machine	(P Ford)	249	115	Cavaliers	(J H Morrison)	218	184	Priority Rangers	(J Ahe)	213
12	Storm	(P Mills)	248	115	Concedes	(L A Tomlinson)	218	184	Turnip United	(R Rowe)	213
12	Purple Rain	(B Gohli)	248	115	Insomniacs	(G Booth)	218	184	Geehat	(V Coq)	213
12	A2	(K Farhall)	248	115	Real Ale Ripon	(S Jones)	218	184	Dashley Sticks	(J Brown)	213
15	Orlando Classico	(J Bradshaw)	247	115	Sporty Big Bone	(J Staszewicz)	218	184	Game 3	(A Muir)	213
16	PJ Thistle	(R Newbould)	247	115	Pacific All Star	(T Leonard)	218	184	WFM Overness	(M A Wilson)	212
17	Rigby's Rangers	(A Rigby)	246	115	Oct55-ITF Champ	(M Skelton)	218	184	Jobber Sticks	(W Clarke)	212
18	Jones Boys 8	(M Jones)	244	115	Concrete Stears	(S Singh)	218	184	Justinian	(A Kent)	212
19	Daggers	(V Cox)	243	115	Concrete Stears	(R Lockyer)	218	184	Wesley's Magicians	(M McMillan)	212
20	Brain's Team	(S Howes)	242	115	Midlands	(D Wetherall)	218	184	Seamus's Gringos	(G F Pinner)	212
21	North's Ark	(G P Dolan)	241	115	The Tomsters	(C C Vevors)	218	184	—	(no name)	212
21	Le Dovesfeathers	(J Robbuck)	241	115	Northwood XI	(S Mullaney)	218	184	Jan's B Team	(J W Donaldson)	212
21	Real Red Devils	(J Gohli)	241	115	Former Champions	(A Murbah)	218	184	Jason's Boys Four	(J Gering)	212
24	Dour Rangers 3	(I Clayton)	240	115	Concedes	(R Keenan)	218	184	Robbie 21	(Z Ahmed)	212
24	Tulip's Tops	(J Brown)	239	115	Red Star Balgravia	(P Turner)	218	184	Wolf's Wonders	(R Gohli)	212
27	Nobby 33	(R Gohli)	238	115	Turner's Earners 3	(J Brown)	218	184	Wol's Wonders	(J Wilks)	212
27	Raj Is Back To Kill	(R Gohli)	238	115	Nobby 22	(J Brown)	218	184	Peer-Shaped FC	(J M Sanders)	212
27	Beeston Celtic	(B McGriem)	238	115	Nobby J	(J Brown)	218	184	Sutton Super Stars	(J Saunders)	211
27	—	(M Corbett)	238	115	Harri Kall XI	(K Kari)	218	184	Jason Boys Two	(M L Jones)	211
30	Inter The Stand	(M Ward)	235	115	Peer-Shaped FC	(P Foster)	218	184	Glenn Duffers	(S Wilson)	211
30	Team C	(A Lorne)	235	115	Wolf's Wonders	(D Lewis)	218	184	Jack's Nightmares	(N J Lane)	211
30	Claremont Loyal	(B Fox)	235	115	Peer-Shaped FC	(J Pigeon)	218	184	Calloway's Utd	(M Deery)	211
30	John Hunt Taunton C	(J Hunt)	235	115	Jason's Boys Four	(J Brown)	218	184	22g Zug Zug 22	(J Zak)	211
34	Alderside Villa	(M Jukes)	234	115	Robbie 21	(J Brown)	218	184	Donard	(J Zak)	211
34	John Hunt Taunton G	(J Hunt)	234	115	Peer-Shaped FC	(J Brown)	218	184	Parlez Vous	(A Bourne)	211
34	AB 4	(A Boyland)	234	115	Peer-Shaped FC	(J Brown)	218	184	Weaver Wonders	(A Ward)	211
37	Plastic Fillets 10	(T Fostilly)	233	115	Peer-Shaped FC	(J Brown)	218	184	Johnny's Giants	(J Kennedy)	211
37	Raj Is Back To Kill	(J Gohli)	233	115	Peer-Shaped FC	(J Brown)	218	184	Saraparis	(J Jones)	211
37	Nobby 5	(J Brown)	233	115	Peer-Shaped FC	(J Brown)	218	184	Benny Blue Army	(S McGrath)	211
37	The Dansters	(C C Vevors)	233	115	Peer-Shaped FC	(J Brown)	218	184	Saraparis	(M Connolly)	211
42	Set Against Cys	(S Shipley)	232	115	Peer-Shaped FC	(J Brown)	218	184	Wesley's Eleven	(K Ling Yee)	211
42	Robins Raiders	(P M Handley)	232	115	Peer-Shaped FC	(J Brown)	218	184	Wesley's Eleven	(Nisbet)	211
42	Bob's Boys 2	(R Calder)	232	115	Peer-Shaped FC	(J Brown)	218	184	United In Footy	(T Alder)	211
45	Poly's Pride	(P Smiley)	231	115	Peer-Shaped FC	(J Brown)	218	184	Ginger FC	(C Armstrong)	211
45	Salwith Utd 5	(M Larcombe)	231	115	Peer-Shaped FC	(J Brown)	218	184	Lounge Lizards	(J P Saunders)	211
47	God's Abominable 2	(S A Goddard)	230	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Fin Ups Two	(P Tisdler)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	T 35	(T Bassaran)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Team A	(A Lorne)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Clover Vale	(N Ercingh)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Butterfly Utd 3	(M Larcombe)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Lesley's Legmen	(L Michaelis)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
48	Nobby	(J Brown)	229	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
55	Layton's Lions 7	(R Layton)	228	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
55	Bad Time Boys	(R Crook)	228	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
57	Art's Allstars	(A Sarge)	227	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
58	Inter The Pub	(M Ward)	226	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
58	JS August Monthly 1	(J Swirles)	226	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
58	Parola Anderson	(P Hands)	226	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	Nomads	(N Brown)	225	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	Raj Is Back To Kill	(J Gohli)	225	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	Raj Is Back To Kill	(J Gohli)	225	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	Abc	(M Gohli)	225	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	Nobby 20	(J Brown)	225	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
61	ST Utd	(M O'Brien)	224	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
65	Brainbown United	(G Weiss)	224	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
65	Flying Foreigners	(D Thomas)	224	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
65	Dynamo Hibs	(S Miller)	224	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211
65	A	(M Corless)	224	115	Peer-Shaped FC	(J Brown)	218	184	Peer-Shaped FC	(J P Saunders)	211



## The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	Sm	Pts	Wk	OV
10101	M Watt	Aberdeen	1.50	0	-3	
10102	N Walker	Aberdeen	1.50	+5	+16	
10201	D Seaman	Arsenal	5.00	0	0	
10202	V Bartram	Arsenal	0.75	0	0	
10203	J Liddle	Arsenal	0.75	-1	-9	
10301	M Boenich	Aston Villa	3.50	0	+1	
10302	M Oakes	Aston Villa	1.00	-1	+4	
10401	T Owens	Blackburn Rovers	3.00	0	-14	
10402	S Gilven	Blackburn Rovers	2.00	0	0	
10501	G Marshall	Blackburn Rovers	2.00	0	0	
10601	D Kharine	Blackburn Rovers	2.50	0	+10	
10602	K Hiltzcock	Blackburn Rovers	2.00	0	-20	
10701	S Ogrizovic	Coventry City	1.50	-3	-13	
10702	J Fildes	Coventry City	0.50	0	0	
10801	M Taylor	Derby County	1.00	0	0	
10802	R Hout	Derby County	1.00	0	0	
10901	A Maxwell	Dundee United	0.50	0	+16	
10902	L Key	Dundee United	0.50	-3	-9	
11001	I Westwater	Dunfermline	0.50	0	-18	
11101	N Southall	Everton	2.50	-3	-1	
11102	P Howard	Everton	2.50	0	+1	
11201	G Rousset	Hibernian	1.50	-1	-1	
11301	J Leighton	Hibernian	1.50	-1	-1	
11401	D Lakovic	Kilmarnock	1.00	0	-25	
11501	M Beesley	Leeds United	1.50	0	0	
11502	P Evans	Leeds United	0.25	0	0	
11503	N Tyson	Leeds United	2.50	+5	-6	
11601	N Poole	Leicester City	1.00	0	0	
11602	K Keller	Leicester City	1.00	0	-5	
11701	D James	Liverpool	5.00	-2	+8	
11702	T Warner	Liverpool	0.50	0	0	
11801	P Schmeichel	Manchester United	5.00	-3	-11	
11802	R van der Gouw	Manchester United	1.00	0	+5	
11901	A Wright	Middlesbrough	1.50	-3	-6	
11902	A Miller	Middlesbrough	1.50	0	-23	
12001	S Howie	Motherwell	1.50	0	-17	
12101	S Hialop	Newcastle United	4.00	0	-3	
12102	P Smicek	Newcastle United	3.00	-1	-3	
12201	M Croxley	Nottingham Forest	2.50	-3	-24	
12202	A Pettit	Nottingham Forest	0.75	0	0	
12203	T Wright	Nottingham Forest	0.75	0	0	
12301	S Thomson	Raith Rovers	1.50	0	-1	
12401	A Goram	Rangers	5.00	+19	-19	
12501	K Pressman	Sheffield Wednesday	2.00	+4	-5	
12601	D Beasant	Southampton	1.00	0	-10	
12602	N Moss	Southampton	0.25	0	+2	
12603	C Woods	Southampton	1.50	-3	-16	
12702	L Perez	Sunderland	0.50	-1	-8	
12801	J Wang	Sunderland	1.00	0	-8	
12802	I Walker	Tottenham Hotspur	3.50	-5	-15	
12901	L Mido	West Ham United	2.00	-1	-15	
12902	S Moutone	West Ham United	0.50	0	+5	
13001	N Sullivan	Wimbledon	1.00	-1	-3	
13002	P Head	Wimbledon	1.00	0	0	



Collymore's goal against Wimbledon made him a valuable striker during a week when many others missed the net

Code	Name	Team	Sm	Pts	Wk	OV
30401	C Hendry	Blackburn Rovers	4.00	0	+2	
30402	I Pearce	Blackburn Rovers	2.50	0	0	
30403	C Coleman	Blackburn Rovers	2.50	0	-3	
30404	M Marker	Blackburn Rovers	0.50	0	+2	
30501	Coyd	Blackburn Rovers	3.00	0	+12	
30502	M Mackay	Blackburn Rovers	1.50	0	+3	
30503	A Stubbs	Blackburn Rovers	3.50	0	+10	
30504	B O'Neill	Blackburn Rovers	3.00	0	0	
30601	M Dabery	Blackburn Rovers	2.50	0	-3	
30602	F Leboeuf	Blackburn Rovers	2.50	0	+16	
30603	F Sinclair	Blackburn Rovers	2.00	0	0	
30604	D Lee	Blackburn Rovers	2.00	0	+3	
30605	A Myers	Blackburn Rovers	1.50	0	+6	
30606	E Johnson	Blackburn Rovers	1.50	0	+10	
30607	J Kjeldbjerg	Blackburn Rovers	0.50	0	0	
30701	L Dalt	Blackburn Rovers	2.00	-2	-2	
30702	R Shaw	Blackburn Rovers	1.50	0	+2	
30801	I Stamat	Blackburn Rovers	2.50	0	-1	
30802	D Wassall	Blackburn Rovers	1.00	0	0	
30803	P McGrath	Blackburn Rovers	2.50	0	+2	
30804	J Leatham	Blackburn Rovers	1.00	0	0	
30805	M Carbone	Blackburn Rovers	0.50	0	0	
30901	S Pressley	Blackburn Rovers	1.00	-1	+6	
31001	M Miller	Blackburn Rovers	0.75	0	-4	
31002	I Den Bieman	Blackburn Rovers	0.75	0	-7	
31101	D Unsworth	Blackburn Rovers	2.50	+2	+13	
31102	D Watson	Blackburn Rovers	2.00	0	+5	
31103	D Watson	Blackburn Rovers	2.00	0	+5	
31201	D McPherson	Blackburn Rovers	1.00	0	+8	
31202	P Ritchie	Blackburn Rovers	1.00	0	+13	
31301	J McLaughlin	Blackburn Rovers	0.50	0	-4	
31302	B Welsh	Blackburn Rovers	0.75	0	+9	
31303	G Hunter	Blackburn Rovers	0.50	0	+7	
31401	M Reilly	Blackburn Rovers	1.00	0	-5	
31402	R Montgomery	Blackburn Rovers	0.75	0	-4	
31501	L Westall	Blackburn Rovers	2.50	0	+7	
31502	R Johnson	Blackburn Rovers	1.00	0	+2	
31503	L Radebe	Blackburn Rovers	1.00	0	+4	
31504	J Pemberton	Blackburn Rovers	0.50	0	0	
31601	S Walsh	Blackburn Rovers	1.00	0	+6	
31602	J Watts	Blackburn Rovers	1.00	0	+11	
31603	K Karsenti	Blackburn Rovers	1.00	0	+11	
31701	P Babb	Blackburn Rovers	3.50	0	+10	
31702	J Scallan	Blackburn Rovers	3.50	0	0	
31703	M Wright	Blackburn Rovers	3.50	0	-11	
31704	N Ruddock	Blackburn Rovers	3.00	0	+7	
31705	D Matteo	Blackburn Rovers	1.00	0	+14	
31801	G Hallister	Blackburn Rovers	1.00	0	-1	
31802	C May	Blackburn Rovers	3.00	+2	+11	
31803	R Johnson	Blackburn Rovers	2.50	-1	-11	
31804	N Pearson	Blackburn Rovers	1.50	0	-9	
31901	S Vickers	Blackburn Rovers	1.50	-1	-7	
31902	D Whyte	Blackburn Rovers	1.50	-1	-11	
31903	P Whelan	Blackburn Rovers	0.75	0	-4	
32001	M McNeill	Blackburn Rovers	1.50	0	+13	
32002	M van der Gaag	Blackburn Rovers	1.50	0	+11	
32101	P Albert	Blackburn Rovers	4.50	-1	-8	
32102	S Howie	Blackburn Rovers	3.00	0	+7	
32103	D Peacock	Blackburn Rovers	3.00	0	+12	
32201	C Cooper	Blackburn Rovers	3.00	-1	-6	
32202	S Christie	Blackburn Rovers	2.50	0	-1	
32203	C Blackwell	Blackburn Rovers	1.00	0	-19	
32204	S Dennis	Blackburn Rovers	3.50	0	+24	
32301	R Gough	Blackburn Rovers	3.00	0	0	
32401	A McLaren	Blackburn Rovers	3.50	0	+16	
32402	J Bjorklund	Blackburn Rovers	2.50	0	+10	
32403	G Petric	Blackburn Rovers	2.50	0	+10	
32501	J Shevane	Blackburn Rovers	1.50	0	+9	
32502	W Walker	Blackburn Rovers	0.25	0	0	
32601	K Monkou	Blackburn Rovers	1.00	-1	-11	
32602	A Neilson	Blackburn Rovers	1.00	0	-2	
32603	R Dryden	Blackburn Rovers	0.50	-1	0	
32604	C Luncheon	Blackburn Rovers	1.50	-2	-11	
32701	A van Gooel	Blackburn Rovers	1.00	0	+13	
32702	K Ball	Blackburn Rovers	1.00	+1	+11	
32703	R Ord	Blackburn Rovers	0.50	0	+12	
32801	S Campbell	Blackburn Rovers	2.50	-2	-20	
32802	C Calderwood	Blackburn Rovers	2.00	0	-10	
32803	J Cundy	Blackburn Rovers	0.50	0	0	
32804	J Cundy	Blackburn Rovers	0.50	0	0	
32805	K Scott	Blackburn Rovers	0.50	0	-3	
32901	S Nethercott	Blackburn Rovers	2.50	0	+3	
32902	S Bille	Blackburn Rovers	2.50	0	+3	
32903	M Ripper	Blackburn Rovers	2.00	0	-2	
32904	R Hall	Blackburn Rovers	1.50	0	0	
32905	R Farndland	Blackburn Rovers	0.50	0	0	
33001	A Reeves	Blackburn Rovers	1.00	0	0	
33002	A Pearce	Blackburn Rovers	0.75	0	0	
33003	M Holmes	Blackburn Rovers	1.50	0	+12	
33004	B McAllister	Blackburn Rovers	0.50	0	+12	
33005	S Fitzgerald	Blackburn Rovers	0.25	0	0	

Code	Name	Team	Sm	Pts	Wk
40601	R Gullit	Chelsea	3.50	0	+3
40602	D Wise	Chelsea	3.00	+1	+15
40603	G Peacock	Chelsea	2.50	0	0
40604	C Burley	Chelsea	2.00	0	+13
40605	E Newton	Chelsea	2.00	0	+2
40607	D Roccate	Chelsea	1.50	0	0
40608	R Di Matteo	Chelsea	3.00	+1	+22
40609	J Morris	Chelsea	2.00	0	0
40701	J Salako	Coventry City	2.50	+1	+19
41501	G McAllister	Coventry City	5.50	+1	+20
40702	E Jess	Coventry City	2.00	+1	+9







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BUSINESS EDITOR Lindsay Cook

TUESDAY NOVEMBER 26 1996

## Buoyant market mood on eve of Budget

By Janet Bush  
ECONOMICS  
CORRESPONDENT

LONDON'S financial markets were in buoyant mood on the eve of what most investors hope will be an economically prudent rather than a politically eye-catching Budget. Sterling was caught up in the pre-Budget optimism, but most of its strength yesterday was down to a slide in the mark, which was struggling to maintain its ground after the lira's re-entry into the European exchange-rate mechanism.

The lira's acceptance after difficult and protracted weekend negotiations raised fears that an eventual single currency might not be as stable as its architects had envisaged. The pound jumped to its highest level against the mark for 32 months and, in spite of slipping back a little, still closed nearly two pence higher. On its effective index against a basket of currencies, sterling finished at 92.5, compared with 92.5 on Friday.

Sterling has been rising on market expectations that interest rates will have to increase in the coming months to dampen the strengthening consumer sector of the economy.

A give-away Budget would only reinforce the argument for higher rates and further strengthen the pound. Some economists believe that even a tight Budget would still leave the pound on a rising trend because rates would still have to go up.

But John Sheppard, chief economist of Yamachi International Europe, said that caution today from Kenneth Clarke, the Chancellor, might subside the current appetite for the pound.

He said that the markets were currently pricing in base rates of 7.25 per cent by the end of next year, compared with 6 per cent now, which is more pessimistic than most economists. A tight Budget might persuade the markets to scale back these forecasts.

The FT-SE 100 index of leading shares added to Friday's dramatic gains, jumping a further 35.9 points to close at 4,054.6. It is now within striking distance of its record of 4,073.2 set on October 21.

Government bonds traded higher on hopes that Mr Clarke will restrict his tax give-away to the minimum, more or less matching any tax cuts with spending reductions.

On re-entry to the ERM, the lira almost immediately rallied up to its new central rate of 990 to the mark and then above it. In late trading, the Italian currency was quoted at 989.80 to the mark.

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# Rosyth saved by £500m order on sale to Babcock

By Michael Evans, Defence Correspondent

THE sale of Rosyth Royal Dockyard was finally agreed yesterday and firm orders for refitting some of the Royal Navy's most prestigious warships was announced by Michael Portillo, the Defence Secretary.

After two and a half years of tough negotiations with the Ministry of Defence, Babcock International, which has managed the dockyard since 1987, concluded an agreement for the purchase of Rosyth, estimated to be worth more than £25 million. The guaranteed refitting work, which will last ten years, will be worth at least £500 million, helping to safeguard the 3,200 jobs at Rosyth.

Mr Portillo, in Scotland for the announcement, named four of the warships to be refitted at Rosyth. They are HMS Invincible and HMS Ark Royal, both aircraft carriers, and two nuclear-powered "hunter killer" submarines, HMS Scorpion and HMS Spartan. Other warships will be included in the deal.

Mr Portillo said the sale of Rosyth to Babcock would generate savings of about £100 million over ten years. MoD sources said the significant savings were anticipated because Babcock would now have the flexibility, as the owner, to take on other work and become more competitive. Mr Portillo said the deal, expected to be formally signed by Christmas, represented good value for money. It would also help, he said, to secure a long-term future for Rosyth. The dockyard currently has annual sales of more than £200 million.

The future ownership of the rival Devonport Royal Dockyard, managed by DML, has yet to be resolved. Equally long negotiations with the MoD have been continuing into its sale, although the MoD sources said they expected a deal to be announced before the end of February next year. The sale price will be considerably more than that for Rosyth.

DML also has to complete negotiations for the contract to refit Trident nuclear submarines. Complex talks have

been under way since the Nuclear Installations Inspectorate and the MoD's own regulatory body revised nuclear safety criteria about two years ago.

The result was that DML had to bring forward its modernisation of the yard, adding to the cost of the development programme. One of the arguments delaying the contract agreement has been whether the MoD should contribute towards the additional costs.

The Trident contract and the sale of Devonport are intimately linked. The contract for refitting the Trident submarines and the other Royal Navy nuclear-powered submarines will be worth up to £5 billion.

Although Rosyth has been given two more nuclear submarine refits, the contracts on HMS Scorpion and HMS Spartan are expected to be the last, because the MoD wants all nuclear refits to be concentrated at Devonport.

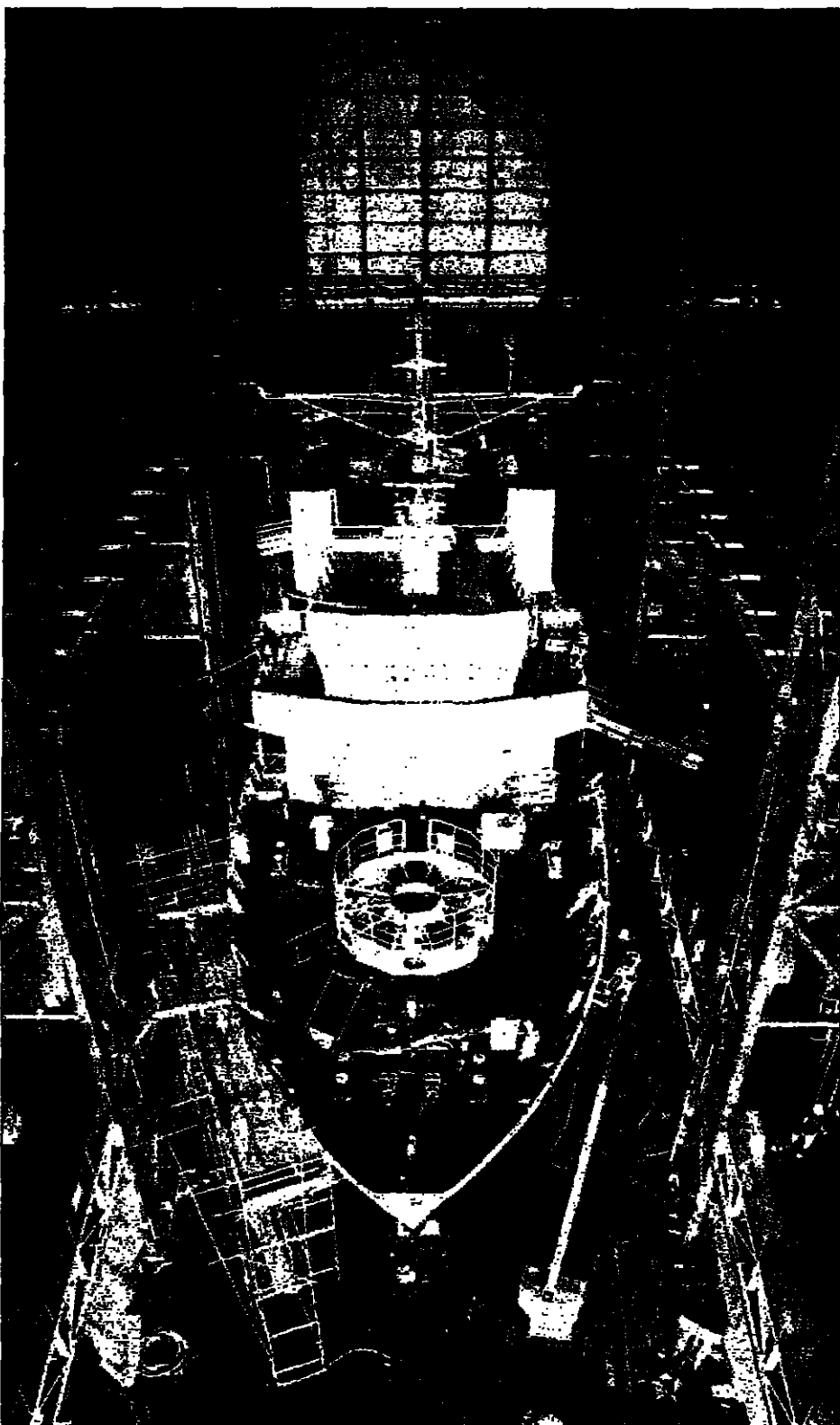
When Devonport beat Rosyth for the contract to refit the Trident submarines in a politically charged competition, in which jobs and votes were alleged to have played a significant part, the future of the Firth of Forth yard appeared to be in doubt.

However, the Government announced that Rosyth would be given a proportion of future refit contracts.

Now, with yesterday's confirmation that two carriers and two nuclear submarines are to be on the list for refit work, Rosyth has been given a new lease of life, which should provide employment stability for the area for the next ten years.

Allan Smith, managing director of Babcock International's Facilities Management Division, which has been managing Rosyth, welcomed the privatisation deal. He said the yard had achieved significant improvements in refitting submarines and surface ships.

Brian Natus, union chairman at the dockyard, said: "It is a good day for Rosyth. At least we have a chance to secure our own future."



No longer anchored to the state, Rosyth dockyard aims to become more competitive

## Takeover Panel looks at Northern bidder

By Christine Buckley  
INDUSTRIAL CORRESPONDENT

CE ELECTRIC, the company staking Northern Electric, is being investigated by the Takeover Panel as it mounts a massive telephone campaign to contact small shareholders at their homes.

Northern Electric has lodged a complaint with the panel, after reports that representatives of CE Electric were not identifying themselves correctly in phone calls to shareholders' homes. Small shareholders of the regional electricity company have complained of harassment from CE Electric, the US grouping in which CalEnergy is the majority partner.

CE Electric is calling shareholders at home in order, it says, to check their shareholdings and that they have received information relating to the £766 million bid. Its representatives are sifting through telephone directories to discover home numbers, having obtained shareholders' addresses from share registers.

A spokesman for CE Electric said the procedure was perfectly legal. He said the company would continue calling shareholders' home numbers.

About 80,000 individual investors with fewer than 1,000 shares account for 20 per cent of Northern's equity, Chris Foote Wood, chairman of the Northern Electric Small Shareholders Association, said: "Many of the small shareholders are elderly, retired and shareholders for the first time. A lot of them have found these telephone calls harassing. They don't like being called at home when they have all the information they need." Northern said it had received a stream of complaints from shareholders.

The Takeover Panel is obliged to investigate complaints made during takeovers. The Office of Fair Trading is considering whether the bid should be referred to the Monopolies Commission.

Yesterday Northern shares stood at 593½p. The bid was made at 630p.

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## BUSINESS TODAY

STOCK MARKET INDICES	
FTSE 100	4054.6 (+35.9)
Yield	3.51%
FTSE All share	1983.72 (+13.85)
Nikkei	21293.57 (+77.46)
New York	
Dow Jones	6502.32 (+30.56)
S&P Composite	752.82 (+4.08)
US RATE	
Federal Funds	5 1/8% (5 1/8%)
Long Bond	101 1/8% (100 3/4%)
Yield	6.42% (6.44%)

LONDON MONEY	
3-month Interbank	6 1/8% (6 1/8%)
Life long gilt	11 1/4% (11 1/4%)
Future (Dec)	11 1/4% (11 1/4%)

STERLING	
New York	1.6700 (1.6805)
London	
\$	1.6727 (1.6811)
DM	2.5412 (2.5255)
FF	5.6015 (5.5620)
Sfr	2.1458 (2.1298)
Yen	168.17 (168.98)
£ Index	92.5 (92.5)

DOLLAR	
London	
DM	1.5226 (1.5070)
FF	5.1499 (5.1125)
Sfr	1.2875 (1.2708)
Yen	112.68 (111.57)
£ Index	96.7 (96.7)

NORTH SEA OIL	
Brent 15-day (Jan)	\$22.25 (\$22.35)

GOLD	
London close	\$375.05 (\$377.15)
* denotes midday trading price	

## Paperless deadline remains at Crest

By Gavin Lumsden

THE board of CrestCo, the company overseeing the City's conversion to paperless trading, decided unanimously after a three-and-a-half hour meeting yesterday to press on with its timetable for full conversion by April.

There had been calls for the transition period to be extended to September 1997.

CrestCo claimed the proportion of UK equities setting in Crest had risen from 25 per cent to 40 per cent since November 6, while the number of deals settling on time had increased from 60 per cent to 70 per cent. However, this falls short of Tallisman - which Crest supercedes - which settles 79 per cent of trades to schedule.

Mr Iain Saville, CrestCo chief executive, said: "After balancing the costs against the risks, we decided it best to go on. It is in the entire market's interests that the transition period is completed as quickly as possible."

The decision followed a meeting last Friday with the Securities and Investments Board, the City regulator, and the London Stock Exchange which decided to support CrestCo, despite opposition to the timetable from a quarter of their members.

Stockbrokers are increasingly fearful that Crest will impose delays on thousands of investors wanting to "bed and breakfast" their investments at the end of the tax year.

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## Search starts for new head of Serious Fraud Office

By Robert Miller

THE Serious Fraud Office today begins its formal search for a replacement to George Stapleton, the country's top fraudbuster, whose five-year contract ends in April. Sir Nicholas Lyell, the Attorney General, has placed a newspaper advertisement offering the successful candidate "the salary of a High Court judge".

The advertisement spells out the brief to Mr Stapleton's replacement as "very much the public face of the SFO, liaising among others with the police, City regulators and enforcement agencies, both here and abroad". The successful candidate will manage the SFO as well as be answer-

able to Parliament for an annual budget of £17 million, a reduction of £4 million during Mr Stapleton's tenure.

Mr Stapleton, 56, more than halved his pay when he joined the SFO in April 1992 from Clifford Chance, a City law firm, where he was senior litigation partner. This year the Queen appointed him a Companion, Order of the Bath for his period in office.

During his time at the SFO Mr Stapleton has introduced far-reaching reforms to the way in which cases of serious and complex fraud are investigated. The fraud office has more than 80 cases under investigation, including the Sunning-

copper affair and Peter Young, the former Morgan Grenfell fund manager who looked after two of the group's European unit trusts.

Aside from any "developed legal skills" that the advertisement calls for, Mr Stapleton's replacement will need broad shoulders. Mr Stapleton has had to answer critics on the collapse of two Maxwell trials and the acquittal of George Walker, former head of the Brent Walker group. He was grilled over the sentencing of Roger Levitt, the failed insurance salesman, who received community service after a plea-bargain went wrong for the SFO.

## Amey and McAlpine win £175m Tramlink contract

By Eric Reguly

AMEY and Sir Robert McAlpine yesterday won the £175 million contract to build the Croydon Tramlink system, one of the first projects of its kind since trams disappeared in the London area in the early 1950s, and the two construction companies said they will bid for similar transport projects in other cities.

Amey and McAlpine, through a joint venture, will design, construct and maintain the 17-mile light rail network, which will link Croydon, Wimbledon, Beckenham and New Addington when completed in late 1999. Neil Ashley, Amey chairman, said the project marked

an expected revival of tram systems. "They have all the attributes of being environmentally friendly and help relieve traffic congestion," he said. Amey plans to bid for tram construction projects in Birmingham, Leeds and Liverpool when they are offered.

John Bowis, Transport Minister, predicted that trams would be running in London again by the turn of the century. The last ones, double-deckers, disappeared in London in 1952.

Amey shares rose 12½p to 367½p, within striking distance of their 52-week high of 370p. Shareholders have supported Amey's transition from

road construction and maintenance to non-traditional markets such as light rail systems and facilities management.

The Croydon Tramlink scheme is part of the Government's private finance initiative. The Government will grant £125 million towards the project's total cost. Tramtrack Croydon, the consortium that includes Amey, McAlpine, Centrevest, St. Royal Bank of Scotland and Bombardier, is putting up the rest of the funds in exchange for the 99-year concession to run the network. Bombardier, the Canadian train maker, is supplying 22 double-length coaches valued at about £35 million.

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**BY PHILIP BASSETT, INDUSTRIAL EDITOR**

The UK Government also largely rejects full employment as an economic target. The ILO, however, says that "nothing short of a renewed international commitment to full employment is required to reverse the poverty, unemployment and underemployment" around the world. Rejecting theories about the

**BY SARAH CUNNINGHAM**

**BY SARAH CUNNINGHAM**

**FILOFAX** put on a brave face yesterday, raising its interim dividend by 11 per cent in spite of a 30 per cent fall in profits. Robin Field, chief executive, attributed the dividend rise to a fall in borrowings and "confidence in the future".

Pre-tax profit in the half year

to September 30 was £2.1 million, down from £2.9 million. Destocking by WH Smith, a big customer, hit UK profits and will have an impact in the second half, but profits in the period should be no less than at the same time last year, Filofax said. The dividend rises to 1.5p, from 1.35p, although earnings per share fell from 7.4p to

4.8p. Borrowings were £2 million (£4.4 million). Filofax gave a profit warning in July, when its shares fell 40 per cent, to 165p. Mr Field said that the market for its products is now "healthy and vigorous", with signs of buoyant consumer interest at the top of the market. Filofax shares closed 8p up, at 146½p.

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**BY ALASDAIR MURRAY**

Merrydown said that overall prospects for the company's ciders remain good. It was confident the new range of Two Dogs drinks, and a marketing spend of around £750,000 in the second half, would ensure the brand remains a significant player. The interim dividend was increased by 5 per cent, to 2.1p a share, payable December 24.

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Sir Anthony Cleaver, chairman, said that AEA was looking for acquisitions, while Peter Watson, chief executive, said that the technology services sector was "pretty immature" and in need of consolidation. AEA aims to increase its profit margins to 10 per cent in the next two or three years. It made 7.8 per cent last year. New orders grew 13 per cent to £165.6 million. The company will pay a first interim dividend of 2.75p a share on February 3.

**VODAFONE**, the mobile-phone company, has placed a \$330 million order for communications equipment from Ericsson, the Swedish electronics group. Under the three-year contract, one of its largest equipment purchases, Vodafone will buy equipment to build virtual private networks, high-speed data services and messaging and indoor radio coverage. The purchases are part of Vodafone's strategy of creating advanced networks for corporate customers.

**INN BUSINESS**, the independent public house operator, yesterday took a big step towards achieving its ambition of building a 600-strong pub estate with the £30.2 million purchase of Sycamore Taverns, a rival group. The company will use a rights issue to raise £15.8 million to help to pay for the acquisition. New shares will be offered on a 5-for-11 basis at 63.5p a share. Sycamore Taverns owns 216 tenanted pubs in central and southern England. Inn Business has 277 tenanted and 17 managed pubs.

SKANDIA, the insurance company based in Stockholm, is merging with Stadshypotek, Sweden's largest mortgage bank. The move will create one of the largest financial institutions in the Nordic region to be known as Skandia Stadshypotek. Stadshypotek has an almost 30 per cent share of the Swedish mortgage market and about 600,000 customers. Skandia has a market share of 20 per cent of non-life insurance business in Sweden by premium income and about 28 per cent market share of life and long-term savings products.

**CARLTON COMMUNICATIONS** yesterday took full control of Action Time, which produces and licenses television game shows and other entertainment programmes, for £3.45 million in shares and cash. Carlton already owned 15 per cent of it. The deal came three days after Carlton became the largest independent commercial broadcaster, reaching 38 per cent of the population, by agreeing to pay £85 million for Westcountry Television, the ITV company in Devon and Cornwall.

IMI, the international engineering group, is expanding its fluid power group by acquiring ISI Automation in the US for \$150 million. ISI makes pneumatic components for automated material handling systems and is a leading supplier to the automotive industry. The company made operating profits of \$15.6 million in 1995, on sales of \$99 million. The acquisition, to be funded from existing bank facilities, is expected to enhance earnings in 1997. IMI shares rose 8p, to 364p.

BY ROBERT MILLER

**NATIONAL** Home Loans (NHL), the mortgage and consumer lending group, continued its recovery, reporting a 20 per cent jump in pre-tax profits to £18.1 million in the year to the end of September.

**HomeLoans Direct banner.** NHL hopes to reduce dependence on home loans by making a big push in the corporate and employee car finance market with the recent purchase of RCR Contract Hire, and leasing and consumer finance, through Auto Finance Direct. Jonathan Pery, chairman, said: "This change of emphasis will continue and during the year the group can expect to see a return to asset growth, for the first time since 1991, as the addition of new mortgages and other financial assets exceeds the run-off from the old book."

**Shares in National Home Loans rose 5p to 111½p.**

**FIELD GROUP**, the packaging company, increased pre-tax profits to £10.5 million from £9.1 million in the six months to September 30 on turnover that improved to £108.5 million from £97.3 million. Earnings rose to 13.3p a share from 11.5p. The interim dividend is lifted to 3.1p a share from 2.8p. Frank Knight, chairman, said the benefits of record investment in the previous year would become increasingly evident over the coming months.

**MARLING INDUSTRIES**, the industrial textiles group, suffered a decline in pre-tax profits to £920,000 from £2.48 million in the half year to September 30. Earnings fell to 0.07p a share from 0.83p and the interim dividend is cut to 0.12p a share from 0.25p. Paddy Lmaker, chairman, said the company had experienced difficult trading conditions worldwide during the past six months. Turnover increased by six per cent to £34.4 million from £32.5 million.

## LEGAL NOTICES

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Full steam ahead for paperless market Pirc's stand a doubtful one Will Clarke tax the alcopops?

## Crest gambles on riding the wave

CRESTCO, the operator of the City's new paperless share-trading system, has taken an enormous risk. There must now be a danger that by next April the system will not be up and fully running, and the Stock Exchange's Talisman paper service will have to be granted a temporary and expensive reprieve.

If that happens, the search will be on for a scapegoat, and the ideal candidate will be the company operating the failed system. Alternatively we could all blame the party that refused to heed warnings and allow a delay in the system's implementation. If they are one and the same, the assignment of blame should be a foregone conclusion.

CrestCo's view last night, after a board meeting to consider an extension to the transition of shares from Talisman to Crest, was that the process was now sufficiently well advanced that the system was ready for its maiden voyage. As the old joke has it, so was the Titanic. What was described as "inevitable teething problems" showed up in October. The system could not cope with the increased volume of shares now going through Crest, as the stock market's 3,000 stocks were individually transferred across from Talisman, a process that is now about one third of the way through.

Just why the problems

cropped up is a matter of dispute. Some big stockbrokers criticised the software itself, and it is clear there were glitches, probably inevitable for such a complex piece of information technology.

CrestCo, jointly owned by the securities industry, suggested that some small brokers experiencing difficulties might have to have their transactions restricted, since the April deadline came round, to the extent that their own computers could cope. There were dark mutterings of cheap software and corners cut.

The small brokers were dismayed at any action putting them at an even greater disadvantage to the large City firms. The obvious action was an extension of the transition timetable. But this would not only have meant loss of face, which is cheap enough, but heavy extra costs. The Crest system costs £21 million a year to operate, and this and the expenses of an extended Talisman would have had to be carried by the securities industry. It would have blown a hole through any budgets set up for Crest, which envisage a top cost for im-

plementation of £25 million. Last night's decision seems to have come after a degree of arm-twisting from the Securities and Investments Board, Crest's regulator. It is clear the SIB has relied on CrestCo's own assurances that the recent improvements in Crest will be maintained.

The judgment has to come from the CrestCo board themselves. If they are right that the improvements since October can be extended, in particular quicker settlement that puts less strain on small brokers' cash-flow, the decision to steam ahead is the right one. If not, history will be a harsh judge.

### Fighting a losing battle at Emap

BEFORE Joe Cooke, the former sidekick to Conrad Black at The Telegraph, books his return ticket from Monaco to attend Monday's shareholders' meeting at Emap, he might ponder whether to save the expense. Despite the impassioned arguments put by Mr Cooke and the other dissident director, Profes-



sor Ken Simmonds (who only has to travel two miles from St John's Wood to Covent Garden), and the support of corporate governance lobby group, Pirc, the Emap board will have enough support in its back pocket to turf them off the board with votes to spare.

The second rebellion of Ken and Joe has been quixotic, if not an actual suicide mission. The rebel non-executives had a point when, earlier this year, they opposed Emap's plans to change its articles of association to allow directors to be fired without reference to shareholders. But institutional investors are pragmatic beasts. They looked at a performance that has seen Emap shares outperform the market by

96 per cent over the past five years and said, to hell with corporate governance, we do not want to rock this boat.

To take on the board a second time was sheer madness. Never mind that at the famous two-day board meeting in Melton Mowbray last month, Ken and Joe believed they were being fed porkie pies; the institutions had already given carte blanche to Sir John Hoskyns, Emap's chairman, and Robin Miller, the managing director.

Pirc's support for Ken and Joe is principled but faulty. It is concerned that if Mr Miller succeeds Sir John, which will not be until July 1998 anyway, there will be some doubt whether Mr Miller qualifies as an independent chairman. But Pirc's test of independence for non-executives includes asking if they have been on the board for ten years or more. Professor Simmonds (12 years) and Mr Cooke (15 years) clearly do not pass that test.

It is all well and good non-executives speaking their mind. But the Emap EGM has been a waste of time, energy and money. Ken and Joe should simply have

resigned making a strong statement of their feelings and disappeared back to NW1 and the Côte d'Azur respectively.

### Cidermakers not looking so rosy

MERRYDOWN is blaming alcoholic lemonades and other spiked soft drinks for a profits set-back. The last to try this trick was Matthew Clark, whose share price disintegrated this summer after claims that drinkers were abandoning cider.

Except that it turned out that problems at Matthew Clark were rather more deep-seated, and a well-regarded executive had to be found to carry the can and fired. Now Merrydown has awoken with a serious hangover. The company, through a tragic historical accident, was the first to bring the stuff to these shores, but sales of its Two Dogs lemonade have been savaged by the competition.

Perhaps there is some justice after all, then. The drinks companies split into two with the arrival of alcopops last year.

Half the industry attacked Two Dogs with lookalikes; the other half drew up their skirts and attacked alcopops for encouraging teenage drinking, before deciding they had jumped the wrong way and putting out their own product in due course. The lot of them are now cutting each other's throats.

All we need now, and it looks a racing certainty, is a thumping punitive tax on alcopops in today's Budget. This will make no enemies, apart from a few teenage drinkers who probably have no idea which government is in power anyway, let alone any right to vote yet. It will play well with the health lobby, and allow money to be raised without hitting more traditional drinks such as Scotch and beer. Interesting to see, if the tax arrives, whether any of the producers will have the brass neck to stand up in public and criticise it.

### Power of persuasion

THE citizens of Tyneside are being phoned at home by the bidder for their local power company and asked if they have received the offer document. Honest, no more than that. The Takeover Panel is looking into this, and should take a robust line. The antics of the double-glazing salesman have no place in a contested takeover bid.

### AIM boost for Pilat directors

Five directors of Pilat, the software designer based in Israel, will become paper millionaires next month, when the company joins London's Alternative Investment Market at an expected market value of £4.8 million. Michael Zakerman-Shore, chairman, and Samuel Sathath, who designs its software, are on course to retain a holding worth £2.27 million. Avigdor Rimmer will gain a £1.63 million stake. Avi Engel gains a £1.39 million holding, while Benjamin Moneta, managing director, retains a £1 million stake. The company is due to raise £2.2 million from the placing.

### Homes up 1%

Scottish house prices rose by just over 1 per cent and sales were up 7 per cent in the third quarter of this year, according to the latest Scottish Housing Index. The figures, produced by the Royal Bank of Scotland and Scottish Homes, show a slowdown in the recovery of the market compared with the second quarter, when prices rose 2 per cent and sales were up 12 per cent.

### Highams float

Highams, the Surrey computer consultancy, is seeking to join AIM through a placing which could value the company at up to £7 million. It is raising £650,000 to fund further expansion.

## Christian Salvesen investors to share £150m special payout

BY PAUL DURMAN

CHRISTIAN SALVESEN, the distribution company which this summer rejected a £1.1 billion offer from Hays, is to pay its shareholders special dividends totalling £150 million.

Salvesen also confirmed its leaked plans to demerge Aggreko, its fast-growing hire business that rents out power generators and air conditioning equipment. Investors will receive shares in Aggreko, which is worth, an estimated £400 million, within the next financial year.

Chris Masters, Salvesen chief executive, said the move was in keeping with the

group's transformation from its past as a conglomerate. He said Salvesen was already considering these proposals before the bid approach, but conceded that the intervention of Hays accelerated the timetable.

Salvesen also announced a 14.7 per cent rise in first-half pre-tax profits to £51.6 million. Although Dr Masters described the results as "very good", the group made only modest progress in its main logistics division, which was held back by serious difficulties at the Elstree distribution system that supplies J Sainsbury.

The star performer was Aggreko, which increased op-

erating profits more than 30 per cent, to £23.7 million, on sales of £93.1 million (£76.4 million). Aggreko supplied more than 800 pieces of equipment to the Olympic Games in Atlanta. It reported strong demand for its power generators in most regions.

Dr Masters said Aggreko's growth had reduced the limited synergies it enjoyed with the rest of the group. "It's become a big business in its own right," he said. He was unable to say what management changes the demerger would entail.

Salvesen plans to pay two special dividends. In addition to an interim payment of 3.5p a share (3.5p) on February 3, it will pay an enhanced interim of 17p a share, costing about £50 million. The other £100 million will be paid by way of a foreign income dividend before the end of next March.

The dividends will lift Salvesen's borrowings to more than its shareholders' funds. However, Dr Masters was comfortable that interest cover will remain in excess of four times.

The logistics business edged up profits to £23.4 million (£22.8 million) on sales of £256 million. Although it made "excellent progress" with industrial customers, heavy start-up costs cut into profits.



Chris Masters confirmed plans to demerge Aggreko

Tempus, page 28

### Sainsbury seeks faster US growth

J SAINSBURY hopes to speed up expansion of its US supermarket business and may make further acquisitions, according to David Bremner, joint chief executive (Sarah Cunningham writes).

He said that consolidation among US food retailers offers scope to buy regional chains to add on to Shaws, the Sainsbury-owned supermarket chain based in the north east of the country. Any purchase would be in addition to Sainsbury's plans to open up to 12 Shaws a year.

Earlier this year, Sainsbury bought 12 stores and two sites in the US from Ahold, the Dutch supermarket group.

Mr Bremner said that the relationship with Giant Food, the US store group in which Sainsbury has a 20 per cent stake, is being developed. Observers expect Sainsbury to bid at least £1.2 billion for the rest of Giant Food in the long term.

### FirstBus follows acquisition trail

BY OLIVER AUGUST

FIRSTBUS, the successor to the Badgerline and GRT bus operators, has driven up pre-tax profits to £23 million, from £9 million, in the six months to September 30. The money will help to fund acquisitions.

Trevor Smallwood, chairman, said: "Our target is to add shareholder value and the large number of acquisition opportunities available to us allows us to pick those that do add value and walk away from those that do not."

The operator recently bought Greater Manchester and Strathclyde bus companies and was last week named preferred bidder for the Great Eastern Railway franchise. The former two have suffered problems. The Manchester operations were disrupted by an IRA bomb, the costs of which will reach £1 million by the end of the

financial year. The Strathclyde acquisition has been referred to the Monopolies and Mergers Commission.

Mr Smallwood said that both companies had been trading beyond expectations since their acquisition.

Operating margins on all bus operations rose to 14 per cent (12.5 per cent). The company said it was on track to meet its target of 15 per cent by the end of the financial year.

Restructuring and other exceptional costs were £2.2 million in the half year. The full year charge will be around £7 million. The sale of two properties accounted for most of a realised gain of £1.7 million.

An interim dividend of 1.8p (1.6p) a share is payable on February 19, from earnings up from 2.9p to 9.5p a share.

Tempus, page 28

### ML in black but shares keep falling

SHARES of ML Laboratories, the healthcare company, fell to a low for the year yesterday in spite of the group having reported substantial profits for the first time (Paul Durman writes).

Pre-tax profits in the year to September 30 were £5.45 million (£3.4 million loss). The gain was mainly because of £8 million of licence payments receipts, such as those from its kidney dialysis solution and its asthma drug inhaler.

Kevin Leech, chairman, issued an upbeat statement, reporting "good progress and exciting potential". Yet the shares lost 23p to 246p. They have fallen heavily since Mr Leech and two other directors sold nearly £70 million of stock at 400p and above.

ML was pleased with the enthusiasm with which Baxter Healthcare, its licensing partner, is promoting icodial, the dialysis solution.

## Call to fight Emap move on directors

BY JASON NISSE

PIRC, the corporate governance lobby group, yesterday recommended that shareholders of Emap, the media group, oppose the board's attempts to oust its two dissident non-executive directors, Joe Cooke and Ken Simmonds (see Pennington this page). However, the organ-

isation's recommendation is falling on deaf ears.

It is understood that proxies already sent to Emap indicate a ten-to-one majority in favour of the board's proposal at Monday's extraordinary shareholders' meeting.

The company took its action after the Mr Cooke and Professor Simmonds protested against a change to the articles

of association to allow the board to sack fellow directors without consulting shareholders.

Although the change was approved by shareholders earlier this year, Mr Cooke and Professor Simmonds continued their protests.

Anne Simpson, a director of Pirc, said: "If independent directors cannot register their

protest on a constitutional issue, there is not a lot of point having them."

The organisation has surveyed 129 leading companies and found that fewer than one in ten have clauses similar to those brought in by Emap. It argued that fear of removal would compromise the independence of directors.

### JLI Group to close Tee Gee

JLI GROUP, the food processing and snacks firm, is to close Tee Gee Snacks, its loss-making subsidiary, which processes and packs nuts sold under supermarket own labels. The closure will mean the loss of about 90 jobs, and a £9.2 million provision which left JLI with a pre-tax loss of £8.8 million in the six months to September 30. Earnings per share were 3.5p (3.1p) and the dividend has been maintained at 1.65p, payable on January 24.

AA

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# THE TIMES CITY DIARY

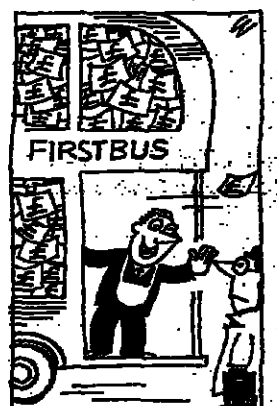
## Wrong day for Large audience

WHAT happens when two top dignitaries, Sir Andrew Large and Ken Clarke, have important announcements fixed for the same time? Nothing.

While the Chancellor is presenting his Budget at 3.30pm today, Sir Andrew will be hosting a press conference on the commodities markets, arranged in the wake of the copper scandal. Both men are on the campaign trail: Clarke for the re-election of the Conservatives and Large to extend his tenure at the SIB. Large will probably struggle to get much of an audience.

## Puppies tale

A CUT-PRICE offer that Ken Clarke can't refuse: the chance to have his entire stock of faded Hush Puppies re-soled at £5 off the original price, courtesy of Timpsons, the shoe repair chain. If the Chancellor agrees, chairman John Timpson promises to donate an extra £500 to Centrepoint, the charity and housing association. Elsewhere in the City, Timpsons is keeping a "Footsie index" of money-off vouchers redeemed in its shops. HSBC employees have the best-dressed feet, followed by BZW and Natwest, according to the chain. Clifford Chance, KPMG, and JP Morgan are among those down at heel.



"Full up — another one behind"

**BUSINESS** editors were somewhat bemused to be sent an invitation to spend today at a health farm. What have they been eating at Walkers Snack Foods that induced them to pick Budget day to launch a new product? Stranger still, why did they choose fat-free Henlow Grange Health Farm, with the enticement of a complimentary treatment, as the venue?

## Forest battle

A BATTLE royal is in prospect to buy Nottingham Forest, the troubled Premiership football club. On one side is former Spurs boss Irving Scholar and football author Phil Soper. On the other is a consortium including Charlie Scott, the cricket-crazy chairman of advertising group Cordiant. Although not a football fan, Scott is a non-executive director of sporting clothes chain Adidas. Pity then that Forest recently extended its bid deal with rivals Umbro until the year 2000.

## Camelot raffle

GUESTS at Camelot's second anniversary dinner in London at the weekend were invited to enter a raffle, at £5 a pop. Keith Todd, chief executive of ICL, a Camelot shareholder, won a Psion organiser (just what you need when you run a computer company). Against all odds, his wife, Anne, won tickets to the theatre and dinner at the Savoy, while Harvey Rands, the lawyer acting for Guy Snowdon in the Branson bribe row, won a hi-fi stereo sound recorder. Just as well that Peter Davis, the obdurate lottery regulator, wasn't there. With his luck, he would have won the £500 Tiffany vouchers and £250 Harrods vouchers, donated by GTEch.

MORAG PRESTON

The Budget options: we leave you space for your own record

# Checklist for the Chancellor's speech

## CURRENT POSITION

Treasury:	2.5%	1997	3.25%
City:	2.3%	1997	3.39%
Treasury:	1996	1997	
City:	2.2%	2.25%	
	2.2%	3.05%	
Treasury:	1996	1997	
City:	£2.50 billion	£1.50 billion	
	£2.00 billion	£5.00 billion	
Treasury:	1996	1997	
City:	£26.9 billion	£25.1 billion	
	£26.0 billion	£23.05 billion	

In October, all the major sources of tax receipts were running above the Treasury's forecasts. Central government receipts were up 7.5% in the year so far compared with 5.3% expected. However, spending was also overshooting, up 4.5% compared with 2.5% planned.

## WHAT THE EXPERTS PREDICT

It is unlikely that the Chancellor will revise his forecasts either for this year or next. Increasingly robust consumer confidence finds some offset from the increased strength of the pound.

With underlying inflation unexpectedly jumping to 3.3% in October from 2.9% in September, the Treasury may be forced to raise its inflation forecast for the end of this year. It will not want to concede any forecast for end-1997 above 2.5%, the upper limit of its target range.

So far, healthy exports, unstable earnings and subdued consumer demand have kept Britain's current account position healthy. But, with consumers now spending more and the pound rising, there will be more concerns about the trade balance.

After October's unexpected £4.4 billion repayment of public borrowing, the City is likely to revise early some of its pessimism on the public finances. Many economists think that the Chancellor will now hit his 1996/97 forecast and even undershoot it. The Chancellor is likely to leave his forecast for this year unchanged but may, if he opts for a tight Budget, be able to revise down next year's total.

Despite October's very good tax receipts, the City still expects the Chancellor to deliver a relatively tight Budget given disappointing progress in bringing down borrowing last year and his scepticism about whether large tax cuts would prove popular with voters. If there are net tax cuts, these are expected to be no more than £2 billion.

## BUSINESS

Standard rate: 33 per cent  
Smaller companies rate: 24 per cent  
Smaller companies limit: £500,000

A scheme to bring private cash into public infrastructure projects. This is a tax imposed on oil but still producing oil fields.

Accountants have argued that a reduction in the smaller companies rate would encourage them to finance expansion from retained profits.

Cuts in the funding of Training and Enterprise Councils (TECs) which provide youth training have been announced.

A law banning the Chancellor will preempt Labour and impose a tax on the utilities. But most believe he will stay clear from this sector.

The Chancellor may announce further PFI deals.

British Gas has lobbied for the removal of this tax.

## VAT

Standard rate: 17.5 per cent  
Fuel rate: 8 per cent  
Registration limit: £47,000

A 1% increase in the rate of VAT would raise a useful £2.65 billion. But no change is expected. Items such as children's clothes that are currently zero-rated seem safe. However, the closure of certain loopholes is widely anticipated. The Government also seems likely to press ahead with the controversial imposition of a 3-year time limit on VAT refunds. Charities have lobbied for relief from £250m worth of irrecoverable VAT. Some accountants think the limit should be £100,000.

## EXCISE DUTIES

Alcopops 13.9p per can; Beer 24p a pint; Lager 24p a pint; Cider 23.78p per litre; Higher strength cider 238.67p; Wine 1.06 a bottle; Fortified wine 21.40 a bottle; Sparkling wine 1.51 a bottle; spirits 23.54 a bottle; cigarettes £1.82 (packet of 20); £1.25 gm packet; Pipe tobacco £1.00 (25 gm packet); Petrol loaded 39.1p per litre; Petrol unleaded 34.3p per litre; Diesel 34.3 p per litre; Pools levy 28.5% of buy; Betting levy 6.75% of bet; Lottery 12% of ticket; Vehicle excise duty £140

Last year the Chancellor took 27p off the duty on spirits and left the duties on beer wine and most distillates unchanged. There is speculation that he may move to reduce duties on beer, wine, and perhaps spirits to combat the effects of cross border shopping and to reduce pressure on inflation. The current excise duty on spirits may mean a penalty duty on alcopops. The Government is committed to increasing road fuel duties by at least 5% a year in real terms and to increase tobacco duties by at least 3% a year in real terms. It is rumoured that the increase on both items will exceed this limit. VED is seen as very likely to rise. There are hopes of a 1% cut in the betting levy.

**Benefits in kind** Currently employers do not pay National Insurance on any benefit in kind

**Company cars** Employees face a tax bill of as much as 35% of the cost of the car.

**Profit-related pay** The first 20% of pay (maximum £4,000) is paid tax-free. Some 3.5 million employees participate in schemes

**Redundancy payments** The first £30,000 of a payroll is tax-free.

**Living accommodation provided by employers**

It is again rumoured that the Chancellor may move to extend Class 1A employers NIs to all benefits. It would put an end to schemes that allow employers to avoid NIs on bonuses to well-paid employees by paying them in such assets as insurance policies and greyhounds.

The taxation of this perk is now considered to be roughly fair. However, some believe that the taxation of petrol provided by an employer does not sufficiently reflect the value of the benefit.

PRP, now seen as a tax saving device for employers is considered ripe for reform. The abolition of the scheme which costs £1.6 billion (three times the budgeted amount) and removal of higher rate relief have both been mooted, although the latter would be administratively complex. The loss to a higher rate taxpayer would be £260 a year.

No change expected, but some believe it should be raised in line with inflation.

A new basis for taxing this benefit may be announced

## NATIONAL INSURANCE

CLASS 1: Employees earning more than £61 a week pay 2% on £61 and 10% on the remainder (up to £455)

It has already been announced that employers contributions will be decreased from 10.2% to 10% in April 1997. There have been the usual calls for the Chancellor to harmonise the income tax and NI systems

## HOUSING

Since 1984, mortgage tax relief has been given on the first £30,000 of a loan. The relief is now restricted to 7.5 per cent.

The housing and home loans industry have not applied pressure this year for improved tax relief or new incentives to improve the state of the housing market. However, some argue that the Chancellor should raise the stamp duty threshold to £75,000 to stimulate the sector of the housing market which has been let behind in the current recovery.

Stamp duty is charged at the rate of 1% on purchases of more than £20,000

A tax-free lump sum is available from either a company pension scheme, or a personal pension.

Tax relief (employed) up to 15% of salary. Tax relief (personal pension) 17.5% to 40% of earnings, depending on age. If you joined your pension scheme after March 1989, a cap of £32,200 applies to the earnings that can be counted for pension purposes.

The first £10,000 worth of capital is disregarded for the purposes of means testing. It is also proposed that the first £150 of assets will be disregarded for those who buy insurance against long term care.

The Government is eager to ensure that the nation makes provision for its retirement. So reductions in the tax breaks seem highly unlikely. Some say that the earnings cap should be raised in line with earnings, not prices. There may be incentives to the young to encourage them to take out pensions.

No measures are expected, as full proposals will be contained in a white paper to be published in a few months.

## SAVINGS AND INVESTMENT

Last year, the Chancellor reduced the tax deducted from savings interest from 20% to 10 per cent.

£5,000 can be contributed over five years.

£5,000 can be invested in a general PEP, with a further £5,000 in a single company PEP.

A tax credit of 20% is attached to dividends. It can be reclaimed.

Stamp duty of 0.5% is charged on sales of stocks and shares.

These schemes offer generous tax reliefs to investors not averse to risk.

Few expect any change this year.

The building societies have lobbied for the introduction of the Personal Investment Plan, a single tax-free vehicle replacing PEPs and TESSAs. But abolition so close to the elections seems unlikely.

For the second year, there has been talk that the Chancellor would remove the 5% withdrawal facility on insurance bonds. But consultation would normally proceed such a step.

An ACT increase would raise a handy £1.4 billion. But the move would meet opposition from some shareholders, including pension funds.

Some would like to see an extension of the stamp duty exemption for unit trusts converting into new-style Open Ended Investment Companies (OEICs).

The Chancellor may simplify these schemes allowing them to raise money more easily.

## CAPITAL TAXES

Annual exemption £3,300. The Government is pledged to abolish CGT and inheritance tax as part of the Prime Ministers pledge to see wealth 'cascade down the generations'.

Threshold £200,000. In 1986, the Chancellor raised the threshold from £154,000. In line with the aim to abolish the tax.

Some believe that the Chancellor will do nothing more than index the exemption. Others believe that he would introduce different rates of CGT for short and long term gains, or move forward the base year for the indexation of gains from 1982 to 1997. Abolition is thought unlikely as this would trigger massive anti-avoidance as the wealthy turned income into capital gains.

Accountants are divided, some predicting indexation of the threshold, others looking for an increase to £300,000 underlining the Government's aim to abolish the tax. A few believe that homes could be excluded from the tax, removing most households from its scope.

## INCOME TAX

Personal allowances: 23,795 (under 65), 24,010 (65-74), 25,090 (75 plus). The allowances are the amounts that you can earn before paying tax. Taxpayers are entitled to higher allowances.

£1,900 (under 65), 23,195 (65-74), 24,195 (75 plus). The married couples allowances are given only at the 15% rate of tax.

Lower rate 20 per cent; Basic rate 24 per cent; Higher rate 40 per cent. The Government's eventual aim is to decrease the basic rate of tax to 20 per cent. It went some way towards this goal last year with 1% cut. The lower rate of tax of 20 per cent, was introduced in 1992/93 tax year.

Lower rate (20 per cent) £0-23,800  
Basic rate (24 per cent) £23,801-225,500  
Higher rate (40 per cent) £225,501 plus

Raising the allowances by the rate of inflation, or some over-indexation are seen as the most likely moves. Many dramatists think the Chancellor could reduce the allowances to the basic rate of tax, helping him to fund a 20% basic rate of tax.

Churchmen and politicians have criticised the erosion of the married couple allowance which has increased the tax burden on the family. The reformers want to see the value of the allowance restored or, more controversially, personal allowances to be made transferable between spouses.

A 1-2% cut in the basic rate is widely expected, taking the Government much closer to the much desired 20 per cent. The Chancellor could also announce a programme of rolling tax cuts.

Raising the lower rate band by more than inflation would be of benefit to the lower paid, taking them out of the tax net. A rise from £3,300 to £5,500 would mean that one third of taxpayers paid only lower rate tax.

## INSURANCE TAX

IFT, at the rate of 2.5 per cent, is charged on all insurance premiums. The UK rate is well below that charged in many EU countries.

The rate of APD for UK and EU destinations is 25; for other destinations, 10.

A rise to 5-6% is widely forecast, raising £1.7 billion, sufficient to fund income tax cuts. The possibility of lower and higher rates of IFT has also been mooted.

An increase in APD to 27 (UK and EU) and to 15 (non-EU) would raise £150 million. However, some anticipate that the Chancellor will go further and double both rates.







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**CINEMA**  
A dangerous liaison with Roddy Doyle: Stephen Frears on the filming of *The Van*



**MUSIC 1**  
The Wigmore Hall celebrates the 30th year of William Lyne's inspired management



**MUSIC 2**  
Stockhausen in bulk, as the Huddersfield Contemporary Music Festival picks up steam



**VISUAL ART**  
Heavy metal: we launch a daily series to mark the opening of the V&A's Silver Galleries

# Honorary member of the Doyle

**Matt Wolf talks to director Stephen Frears about his new film, *The Van***

Increasingly, it seems, there are two — or even three — Stephen Frears working in movies. The first is the street-smart political activist behind *My Beautiful Laundrette* and *Sammy and Rosie Get Laid*, two portraits of Thatcher-era Britain whose professed aim was to lay low the Conservative Government, or at least Margaret Thatcher. The second is as a director of Hollywood stars — sometimes to good effect (Glenn Close in *Dangerous Liaisons*, Anjelica Huston in *The Grifters*, for which Frears was nominated for an Oscar), sometimes not (Julia Roberts in *Mary Reilly*).

His new film, *The Van*, could be said to represent the third Frears. In 1993, he directed a film of Roddy Doyle's *The Snapper*, funded by the BBC and intended for television, only to have it cause a stir at Cannes and go on to an acclaimed cinema release in America. With *The Van* — again adapted from one of Doyle's Barrytown Trilogy, and a 1990 runner-up for the Booker Prize — the question was, could cinema lightning strike twice, with Frears establishing himself as that rare English chronicler of the Irish working-class?

*The Van*, though, received a more muted response than either its predecessor or Alan Parker's *The Commitments*, which was the first of the Doyle adaptations. Focusing on the shifting rapport between two friends from the north Dublin suburbs who lose their jobs and take to the



Stephen Frears directing Roddy Doyle's *The Van*: "Roddy's got more severe as a writer, and I like to say that I do his silly ones." Frears says

road, selling food from a van, the film has as much to say about claustrophobia — both emotional and physical — as it does about the giddy high spirits depicted in *The Snapper* and *The Commitments*.

"*The Snapper* was more like a fairy tale," says Frears, an amiable 55-year-old who studied law at Cambridge and came to movies by way of the

Royal Court Theatre. "This is more realistic; it has more to do with life. *The Snapper* was like a party. I would go home at the end of the day and say, 'Shouldn't I be working harder?' This was much tougher."

"*The Snapper* was really a celebratory film, whereas *The Van* is very sad; it's about youngish men who are forced to consider themselves redun-

dant, and they get a second chance and it doesn't work out."

The challenge was to extract from the material what comedy exists while making a film bereft of stars that audiences would nonetheless attend. (The best-known actor in *The Van* is Colm Meaney from TV's *Star Trek: The Next Generation*, who has appeared in all three Barrytown films.) "It's quite hair-raising," Frears says. "You can see there aren't any car chases or sex or any of the staple products of commercial cinema; but the jokes are very funny and you try to get it right."

Anticipation, too, plays a part. *The Snapper* "sort of came from nowhere," says Frears, and received rave reviews which may cast a shadow over *The Van*. "When I made *Dangerous Liaisons*, nobody expected anything. People were very nervous, and when of course it

then emerges that you've made a film that is accessible and enjoyable, people are always delighted. At any given moment, I'm always trying to lower expectations."

Stars, of course, carry expectations with them, as Frears found not just on *Mary Reilly*, a Jekyll and Hyde retelling with Julia Roberts as a put-upon English scullery girl, but also when directing Dustin Hoffman, Geena Davis and Andy Garcia in an earlier flop, *Accidental Hero*. "I just think of Dustin or Julia as really good actors. I am interested in them as actors, so all the mechanism of them as stars slightly bewilders me. I approach them all the same way — we have a story to tell, let us tell it — and afterwards I find that audiences deal with stars differently than they do with actors. I'm always rather perplexed by that; I feel slightly stupid."

He adds: "I think there are directors who understand that and can deal with that and make very good films as well. I don't quite know how you do it. I'm driving myself mad trying to learn."

Frears, who received no formal film training but learnt as an apprentice to Lindsay Anderson and Karel Reisz on *If and Morgan*, has spent the autumn teaching at the National Film School. In the spring he heads for New Mexico to make his first western, *The High-Low Country*; Martin Scorsese is a co-producer.

One film he won't be making, though, is an adaptation of Doyle's most celebrated novel, *Paddy Clarke's Ha Ha Ha*. "There are some directors who direct children very well, but I couldn't do it," he says. "And in any case, Roddy's got more serious, more severe, as a writer, and I like to say that I do his silly ones."

● *The Van* opens on Friday

**CONCERTS: Contemporary music in Huddersfield; a celebratory gala at the Wigmore Hall**

JUST when you are ready to dismiss him as seriously deluded, something happens to restore your faith. Reactions to the comprehensive survey of the work of Karlheinz Stockhausen at the current Huddersfield Contemporary Music Festival — where the great man has presided over concerts given by favoured performers to capacity audiences — have fluctuated between despair and elation.

As the first British showing of Frank Schaeffer's film reminded us, Stockhausen is the composer who recently consigned the Arditi Quartet to a flight of helicopters. Each player was assigned to his own aircraft and given a precisely co-ordinated part in creating the mix of string and rotor-blade sounds which would be relayed back to the audience as the *Helicopter String Quartet*. But just when you are idly wondering what

## Stockhausen takes flight

the next extravagant mission will be, you hear a phenomenal performance of *Mantra* and come away convinced that Stockhausen is one of the great composers. The inescapable historical fact is that the exciting works such as *Mantra* (performed here by Ellen Corver and Sepp Grotenhuis) or *Piano Piece X* (the extraordinary Corver again) were written 20 or 30 years ago. The disappointingly empty ones heard at Huddersfield are all by-products of the Licht series of seven operas designed to give super-Wagnerian immortality to the composer — on which he has

been working since about 1980.

*Bijou*, the first performance of which was enterprisingly secured by Richard Steinitz for Huddersfield, is an instrument-and-tape version of a duet from Act I of *Thursday from Light*. It was worked out by Stockhausen in association with his flute and clarinet associates, Kathinka Pasveer and Suzanne Stephens, who played it and danced it in costume — the flautist apparently naked under a dress of strategically alternating transparent and green stripes. The effect of the music, which is as melodious as the heightened

speech inflections and as colourful as the growls of kabuki theatre, was minimal.

All these recent works are calculated by formula. So is *Mantra*. But whereas the two piano pieces is inspired in terms of virtuoso sound and material, the latter pieces seem to be written on a papal assumption that because they are based on a Stockhausen formula they are infallible.

When Suzanne Stephens performs a basset-horn piece called *X* with an illuminated X strapped like angel wings to her back, Kathinka Pasveer performs *Ypsilon* in a Y-shaped costume with bells attached, and the two of them perform *Elufa* dressed like standard lamps in short skirts, fallibility is as visible as it is audible. But at least, when Stockhausen is in charge, the concerts run on time.

GERALD LARNER

## Encores for the manager

THE old joke is that nobody ever raised a statue to a critic. But I cannot recall many memorials to hall managers either. Perhaps all that will change. The affection and gratitude so richly displayed at the Wigmore Hall on Friday suggest that William Lyne — who has presided over that august establishment for 30 years — will surely be bustled or ploughed when he finally hangs up his pianist's pencil.

Here, for once, was a gala tribute that was neither cloying nor insincere. Just great fun. Part of the fun was in not knowing who or what was going to appear next. The concert's contents had been kept secret even from Lyne, who sat in the audience covered in joy and confusion as one musical celebrity after another directed some well-turned line in his direction.

The Skampa Quartet launched proceedings with an exuberant account of Dvorak's *American Quartet*, and there was more string virtuosity when the cellist Steven Isserlis prefaced the first movement of Grieg's Cello Sonata with an arrangement of the gorgeous Intermezzo from Schumann's Violin Sonata No 3.

Then came a clutch of fine vocalists. Ann Murray ravished two songs from Bertoz's *Les Nuits d'été* before turning to Irish dirty, including the tongue-twisting blarney of *Phil the Fluter's Ball*.

Joan Rodgers displayed the darker side of her vocal timbre in four Tchaikovsky songs; and Rosa Mannion sang Britten and Schubert (*The Shepherd on the Rock* with Michael Collins darting through the clarinet part) with formidable power. Accompanying all this was a succession of fine pianists: Stephen Hough, Malcolm Martineau, Roger Vignoles and Julius Drake. Andrus Schiff also appeared to deliver some sprucely-phrased Schubert.

The encores included the majestic Sarah Walker singing Kern's *Bill*, with Wodehouse's lyrics adjusted to suit the Bill in question. All in all, a party to remember.

RICHARD MORRISON

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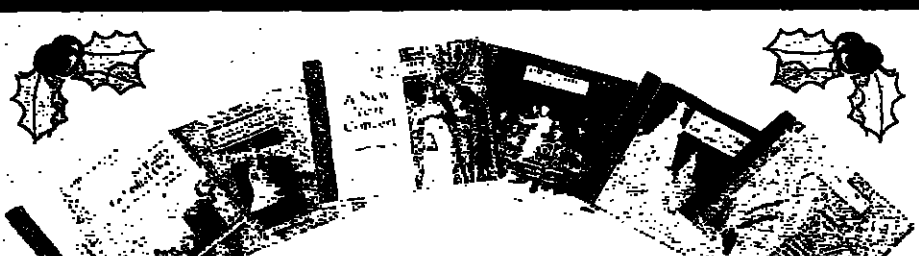
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## ■ DESIGN

**Ticket to build:** Germany plans to reconstruct its railway stations on a giant scale



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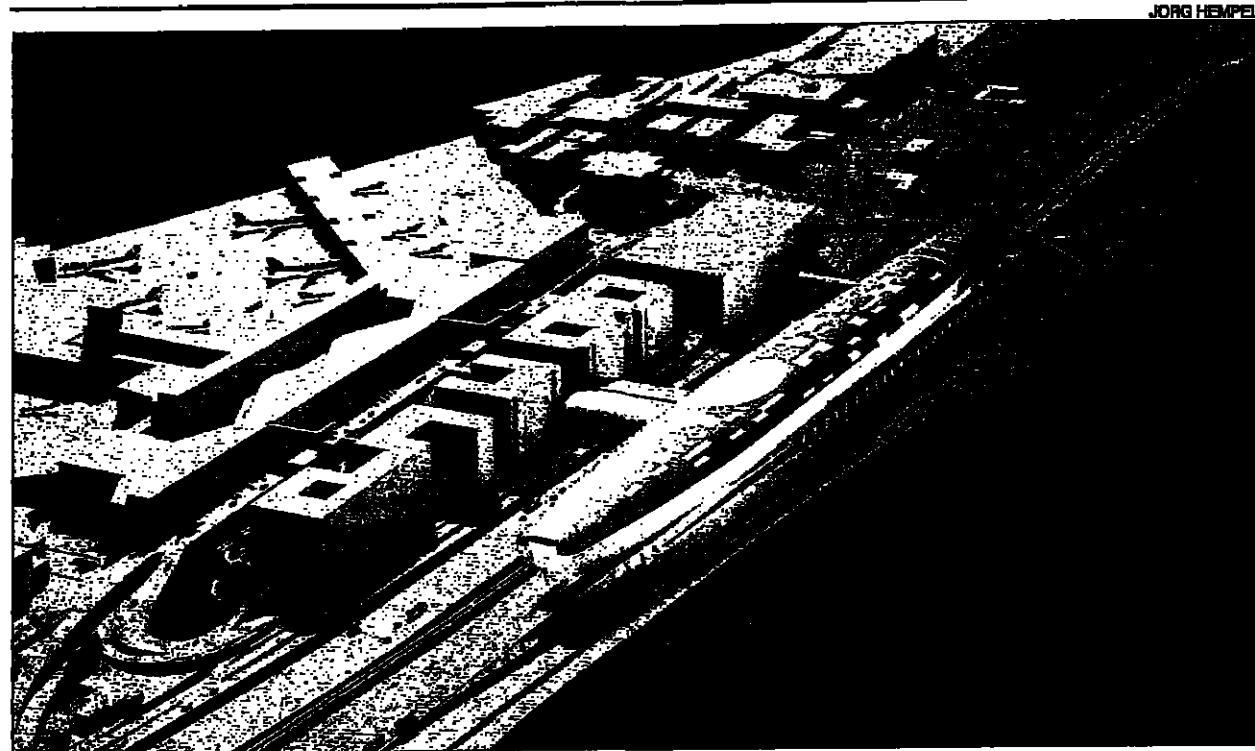
## ■ TOMORROW

Richard Cork reviews a stunning new exhibition of Vorticist art in Germany...



## ■ TOMORROW

...and *The Times Theatre Club* offers its annual guide to the Christmas shows in Britain



The futuristic model for the prizewinning new Frankfurt airport railway station by the Hamburg architects Bothe Richter Teherani: apart from a station "fit for the times", the design includes a "UFO" (unlimited free-time object) with shops, cinemas, a musical theatre, hotel and entertainment spaces, and parking for 2,000 cars

## Making tracks for the millennium

ARCHITECTURE: Marcus Binney  
on Germany's breathtaking plan to develop its railway stations

It is probably the most ambitious millennium project the world has yet seen. Germany is planning to rebuild its main railway stations on a scale that exceeds even the dreams of Albert Speer in the Third Reich. The new stations will be futuristic glass palaces with lightweight transparent roofs covering a dozen platforms in a single breathtaking leap. They are loftier, lighter and airier than the largest new airport terminals.

The architect Meinhard von Gerkan, whose practice has the lion's share of these spectacular commissions, says: "When the chairman of German Rail, Heinz Dürr, came

to our Hamburg office in 1993 I had no idea of the magnitude of changes proposed." The proposals for Stuttgart station alone are valued at a scarcely believable £2 billion. Already these proposals are causing huge controversy, from preservationists concerned at damage to the few German stations that survived Second World War bombing to Greens, who believe such large-scale rebuilding of cities is a misuse of resources.

The changes are prompted by the new high-speed and Inter City Expresses (ICEs) which, like Eurostar, will be 400 metres long. The main station in most German cities is a terminus, requiring drivers to change ends before a train can continue its snaking journey out round the suburbs. Under the new grand plan, the old termini will be transformed into through stations, shortening stops and cutting journey times.

New tracks will be brought in at low level. At Stuttgart they will be eight metres below the existing railway line, at Frankfurt 20 metres, and at Munich a staggering 37 metres. Taking tracks down is a mammoth engineering task, and herein lies the key to the finance, for the newly privatised German Rail intends to roof over the sunken tracks and develop the new land in partnership with property companies.

The schemes have been on show at an exhibition, *The Renaissance of Railway Stations* (Germany's that is), in Venice. Sumptuous models showed huge areas of land, 120 hectares at Munich, 99 at Stuttgart, made available for development with offices and housing laid out around generous parks and gardens. It is London's Broadgate — but 20 times bigger.

Yet as the abortive plans for the railway land at King's Cross in London and the Gare d'Austerlitz in Paris have shown, the problem with this kind of development is that hundreds of millions have to be spent on engineering works before actual construction can begin. German Rail merely says: "We don't like to talk about money too much."

The answer may lie in the fact that while the British Rail Property Board was assiduously selling off every last siding, German railways, both east and west, held on to thousands of acres of redundant marshalling yards, now potentially available for sale. Heinz Dürr sees the new cathedral-sized concourses as ushering in a new age of calm, relaxed travel. "We do not have to hide behind the facades of shopping and leisure

centres. We want to stress traffic functions," he says. As soon as you enter one of the new stations from the street, you will have the reassuring sight of all the platforms and trains fully open to view below you. Visibility is all.

The Germans are also determined to reverse the trend to seediness around stations. "As long as they are centres of red-light districts, hubs of drug-dealing and a home to down-and-outs, there will be a heavy psychological barrier," says von Gerkan.

Others see station districts, with their "cheap hotels and down-to-earth gastronomy", as the modern-day counterparts to the Berlin of Isherwood and Cabaret — "centres for the fringe, for foreigners and the demi-monde", says Dieter Hoffmann-Axthelm.

The one new station so far built is at Kassel-Wilhelmshöhe, although a spectacular web of new glass canopies is taking shape along the platforms at Cologne. The really ambitious work is still on the drawing board.

In Essen, for example, the architect Ingenhoven plan an arched roof as billowing and transparent as the Richard Rogers proposal for the South Bank. At Frankfurt, von Gerkan plans a giant sunken hall with three tiers of arches supporting the existing iron and glass roof, all filled with bridges and stairs.

The most futuristic design is for the new airport railway station at Frankfurt. The architects, Bothe Richter Teherani, propose a vast 700-metre-long shopping centre, shaped like a nuclear sub, above the station roof. They call it a UFO — "unlimited free-time object" — with shops, cinemas and parking for 2,000 cars.

Opposition grows in Leipzig, which has the grandest station in Europe after Milan. Some 30,000 people signed a petition against a multi-storey car-park in the station. Axel Fohl, champion of historic railway architecture, says: "Both Leipzig and Stuttgart need further downscaling. Developers are offering heaven on earth, particularly in the east which is hungry for investment."

Dream or nightmare, this is certainly the most spectacular railway development proposal the world has seen.

Station districts are centres for the fringe

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A guide to the best available recordings, presented in conjunction with Radio 3

DEBUSSY'S LA MER  
reviewed by  
Jonathan Swain

DEBUSSY's masterpiece has been variously described as "the best symphony ever written by a Frenchman" and "the musical equivalent of Monet's Impressionist paintings, Turner's seascapes, and those delicate feathery prints by Hokusai". It is all of these, and more: Debussy's translation of the ever-changing and apparently formless into a structure of shape and purpose is a finely balanced miracle of musical technique, with each detail scrupulously considered and placed.

And its mystery and majesty are governed by strict mathematics. One might imagine that no harm is done by over-admiring a wonderful view here, or prematurely whipping up a storm there, but ultimately such short-term tactics are detrimental to the whole.

All *La Mer* needs is a conductor who does it "by the book", the best players in the world to cope with the score's considerable and very precise demands; an alert recording team; and a sympathetic acoustic. Among the numerous conductors who think they know better than Debussy are Sinopoli, Bernstein, Reiner and Lombard; and among those who are hampered by



indifferent playing are Baraboin, Rahbari, Pommer and Barbicelli. A "big hall" sound is the preferred option these days, but large acoustics and distant microphones can blur detail, and victims here are Baudou, Rahbari, Simon, Jordan, Frühbeck de Burgos and Jarvi.

Unusually for a survey like this (there are some 50 recordings available) one contender stands head and shoulders above the rest. The first of Karajan's three recordings with the Berlin Philharmonic, made in 1964 (and coupled with a similar vintage Mussorgsky/Ravel *Pictures at an Exhibition*) was reissued last year on DG's mid-price Originals series (441 426-2, £9.99). This offers effortless, and limitless virtuosity; recorded sound that is present, finely detailed, wide-ranging and decently spacious; evocative magic to spare; but most important of all, a view of the whole that allows the work to connect as a symphony.

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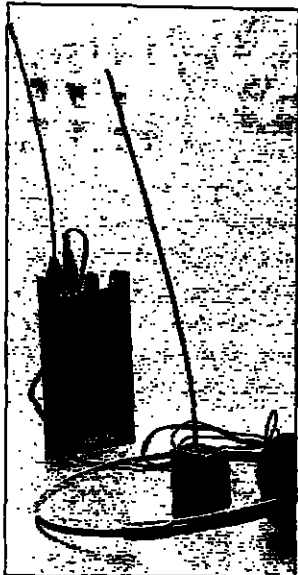
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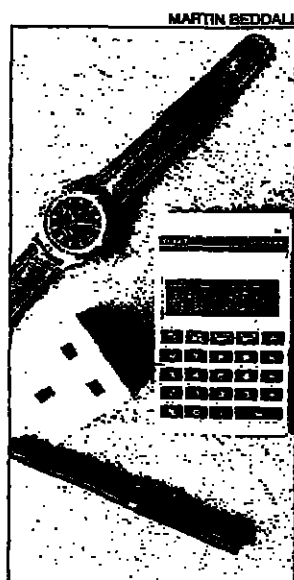
Ian Leigh on proposals in the Police Bill that may breach our civil liberties



Phone tap is easy to hide



The Police Bill includes proposals to legalise the surreptitious entry onto private property and the placing of surveillance devices by the police



Bugs can appear innocent



## Magistracy opens to public scrutiny

It is five years since this newspaper ran the first national column on the magistracy by a magistrate. It highlighted the ordeals suffered by children when asked to give evidence in child abuse cases. The Criminal Justice Act 1991, which came into force a few months later, brought into use video recordings and live television links that have made the experience less awful.

Other problems related to children and families, the remnants of 15-year-olds into custody because of the lack of secure accommodation and the huge changes brought in by the Children Act allowed me to continue to write from an ordinary magistrate's perspective. Four Criminal Justice Acts in five years — the latest due to fall on us soon — have meant a roller-coaster ride for magistrates. And apart from trying to make sense of this flurry of legislation, I also had hopes of trying to make the magistracy more understandable.

Five years on, there is a more open-minded attitude and there is much greater public interest in the workings of the justice system. This opening up of the magistracy has been one of the most important changes to have occurred over the past five years.

It started with the Schools Project, which was the brainchild of Rosemary Thomson, then deputy chairman of the Magistrates' Association and Richard Grobler, then deputy secretary of Commissions in the Lord Chancellor's Department. A pilot scheme began in Berkshire in 1991 turned into a nationwide success.

Mrs Thomson, who retires as Chairman of the Magistrates' Association on November 21, sees it as one of the most beneficial changes to have occurred during her tenure of office. "We now have some 3,400 magistrates going out to schools and working with students to get across what magistrates are, what we do and how we do it. A lot of the work involves students playing the role of magistrate."

Although others might not agree with her, Ms Thomson is a believer in magistrates talking selectively to the press, something practically unheard of five years ago. She says: "There is a much greater willingness to talk to the press. I believe that openness is very important for an organisation which is delivering local justice to a local community and using local people to do it."

Apart from trying to make the magistracy less distant from the people it serves, she also sees an important change in the approach to sentencing. She became chairman of the association in 1993 when the Criminal Justice Act of that year abolished Unit Fines.

Although sound in principle, they never worked in practice despite a successful trial. She is more sanguine about the controversial use of electronic monitoring of curfew orders. "Although still in a trial phase it is proving to be a flexible disposal. It can be used for public order offences, assaults, driving while disqualified and the like and you can tailor it to the lifestyle of the offender. And in the new Criminal Justice Bill there will be powers coming in that magistrates have asked for like the power to use short Community Service Orders or Curfew Orders during the fine default process so that fewer people will go to prison."

What has not yet been solved and worries all of us associated with the justice system is Michael Howard's proposal for an automatic prison sentence on a third burglary offence. As Ms Thomson points out: "It is too variable an offence. It can be burglary to pinch a milk bottle off the porch of a house. Yet that is hardly in the same category as a housebreaking leading to a smashed up home. We need to keep the discretion to look at the facts of the offence and the offender."

What is more encouraging is the growing interdependence of all the agencies involved in the system when it comes to solving problems. Apart from grass roots co-operation which we have always had in the Juvenile and subsequently Youth and Family Courts through our court user meetings, there had apparently been little joint problem-solving at the top.

Agencies like the police, the CPS, the social services, the courts, the Probation Service and the Prison Service are operatively independent. According to Ms Thomson they have come to realise that a joint effort to solve problems together is beneficial particularly at a time of constant cuts in public spending.

"The Criminal Justice Consultative Council set up five years ago and the Trials Issues Group are trying to solve problems like the need to get local inter-agency service agreements about the best way to treat witnesses, how best to deal with difficult offenders and more efficient ways of getting information to the CPS to address the problem of trial delays," she says.

After 25 years as a magistrate Ms Thomson believes that the magistracy should and sometimes does have a voice in the formation of criminal justice policy. "Legislation is a matter for politicians but the magistracy is now better heard, better respected and better regarded by government than when I started."



PAULA DAVIES

## Legal bugs raise alarm

Peter Wright, the former MI5 officer, claimed in his book *Spycatcher* to have "bugged and burgled [his] way across London at the State's behest".

After the initial controversy, the problem of the legality of such operations was resolved by the Security Service Act 1989. This gave the Home Secretary power to issue warrants for covert "interference with property", as the legislation coyly describes it. If Michael Howard has his way, covert operations by the police will soon follow a similar path. Amid the furor over the Government's sentencing reforms, its other crime bill — the Police Bill, which starts its committee stage today — has attracted little notice. This Bill includes proposals to legalise the surreptitious entry onto private property and the placing of surveillance devices by the police, which should cause serious public concern.

At present, where the police carry out similar covert operations to MI5 they are governed by a Home Office circular on the use of technical equipment. The planting of surveillance equipment on private property requires the Chief Constable's prior personal approval. A

circular of this kind cannot confer legal immunity, and the police rightly fear that they could, if discovered, face a successful civil action for trespass. No criminal offence is involved in planting surveillance equipment unless damage is done.

However, the existing practice clearly violates Article 8 of the European Convention on Human Rights, protecting privacy. The European Court of Human Rights has in the past held that surveillance under a circular is not "in accordance with law" for the purpose of the exceptions to Article 8. It did so as regards telephone tapping in the *Malone* case in 1984. Should a similar case be brought involving police bugging, at present the result would be a foregone conclusion.

The Government proposes that the present system should simply be made statutory, with Chief Constables continuing to have responsibility for authorising such surveillance operations. There will be no obligation to seek approval

outside the police force, although an independent commissioner will be appointed to oversee the arrangements and to investigate complaints. This may not satisfy the Convention, which generally requires independent prior authorisation by a judge where a search is part of a criminal investigation.

The French law which permitted customs search without judicial warrant was held to violate the Convention in the 1993 *Punkte* case. The Court of Human Rights objected to the width of the powers and the authorities' exclusive competence over their use. The Police Bill proposals could meet a similar fate in Strasbourg.

The legislation will also create several anomalies. The police will be permitted to authorise their own covert operations in the case of serious crime, while MI5 will still be required to obtain a ministerial warrant where national security is involved. Although a Code of Practice would be issued, there is a danger that each police force

will apply differing standards, with more potential for abuse than with operations carried out by a single organisation.

The police will need the Home Secretary's permission for phone tapping, but not for bugging, although the same grounds and facts may be involved. This will only encourage use of the least regulated investigatory technique. For open searches, the police will generally require a judicial warrant, but not for covert searches.

This is paradoxical: where a search is unannounced, there is less likelihood of its being challenged later, and stricter safeguards against abuse should apply beforehand, not weaker ones. Whereas conventional procedures give special protection for sensitive material held by lawyers and journalists, professional confidences receive no protection under the Bill. The prospect of covert police searches or bugging of solicitors or journalists' offices is far from fanciful.

It is unlikely that the courts will act as a check on these powers. Earlier this year, the House of Lords condoned dubious police surveillance practices by holding, in the case of *Khera*, that a tape could be given in evidence although

the bugging device was placed by police officers who were trespassers. Clearly judges are reluctant to exercise their discretion to exclude unfairly obtained evidence. It is vital, therefore, that the new legislation should contain adequate safeguards for personal privacy.

Police-licensed break-ins should have no place in a democratic state under the rule of law. Parliament should think long and hard before approving these proposals.

© The author is Reader in Public Law at the University of Newcastle upon Tyne. He is co-author, with Lawrence Lustgarten, of *In From the Cold: National Security and Parliamentary Democracy* (Clarendon, 1994).

'Peter Wright burgled his way across London'

OUTS

### Teresa takes top billing

TERESA GORMAN, MP, is still turning over the legal bills she incurred during a battle with her council over alterations to her home in Essex.

She was one of the non-lawyer guests at a lunch held by the all-party Lords and Commons Solicitors Group at the House of Lords last week.

During her planning battle she clocked up legal fees costing thousands of pounds. She took advantage of the lunch to complain that solicitors did not give enough warning about the cost of their services, unlike her plumber. Several of the MPs and Lords responded by asking for the plumber's name.

### Revealing fax

LAWYERS are supposed to be secretive about their affairs, but a survey by office equipment company Gestetner has found that technology makes them leave all sorts of confidential information lying about.

The survey found that many of the lawyers had discovered colleagues' CVs, salary details and confidential minutes of

partners' meetings left on fax machines and photocopiers. Sending a fax seems to throw them. Faxing errors include sending a confidential document to a newspaper and a business plan to a colleague's home fax, by a partner planning to set up a rival firm.

**Fair play**  
REGULAR users of the High Court will have noted a small gathering of protesters outside its doors every Wednesday afternoon. They belong to a



Teresa Gorman: fuming

group called Campaign for a Fair Hearing and they have vowed to continue their weekly vigils until they have succeeded in bringing about sweeping changes to the justice system. A key aim is the separation of the judiciary from the executive to boost the independence of the former. The group argues that the Lord Chancellor, as head of the judiciary, should not be in the Cabinet. And it is claiming the support of some lawyers who use the High Court. "You are doing the right thing," one told them.

**Poll position**  
THE decision of senior judges on whether CPS prosecutors should be allowed advocacy rights in the Crown Court is keenly awaited. But do they want them? Last week's MORI poll of lawyers in the service (at least of the 75 per cent who are members of the First Division Association) threw up a fascinating fact: only 11 per cent favoured extended advocacy rights. Perhaps they feel they have enough on their plates.

### Fighting back

FOR once, it seems, it is not the legal profession which is embroiled in a bitter debate about its complaints system.

Plans to introduce lay representation into the disciplinary system operated by the Royal Institution of Chartered Surveyors have sparked a wave of protest from within that profession.

The warring surveyors are employing the same arguments for and against the change to those recently voiced by barristers and solicitors during debates about changes to their complaints systems.

The choice now is between a self-regulating system that is trusted by the public and the threat of statutory regulation (which would surely not be in the interests of the profession), was the contribution to the debate of Simon Pitt, immediate past president of the RICS.

Meanwhile, the Law Society is quietly confident that it may have a winner with its new office for the supervision of solicitors. In its first few months, the new body, which replaced the Solicitors' Complaints Bureau, has managed to keep out of the headlines.

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Q2. ARE YOU:

(a) DESERVING OF PUBLIC FUNDS?

(b) UNDESERVING?

(c) HIDING YOUR ASSETS IN AN OFFSHORE ACCOUNT?

Q3. ARE YOU:

(a) GUILTY?

(b) NOT GUILTY?

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Q4. HOW WOULD YOU LIKE YOUR LEGAL AID TO BE PAID?

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James Morton explains how the public can make its voice heard

# Changing the sentence

Does the public have any input into sentencing dangerous and violent criminals? The answer is that in a roundabout way it does and, in general, it doesn't choose to exercise it.

There are complaints in the newspapers about unduly lenient sentencing. Does anyone take any notice? Again the answer is yes. Sir Nicholas Lyell, QC, the Attorney-General does. After all, it is he who has the right to refer the case to the Court of Appeal with a view to resentencing.

The Criminal Justice Act, 1988 gave the Attorney-General 28 days from the date of the sentencing in cases such as manslaughter, grievous bodily harm, robbery, rape, cruelty to or neglect of a child and serious and complex fraud, to lodge an application for leave to refer the case for resentencing.

There is provision in the Criminal Justice Act, 1988 for all cases which have been heard at the Crown Court to be subjected to such a reference. In 1994 offences of indecent assault, threats to kill and cruelty or neglect of children, and last year complex and serious fraud cases were added to the list.

The application for leave takes the form of written submissions and, with the defendant represented, oral argument on the facts and law. Not only does the process act in an individual case but it also gives the Court of Appeal the opportunity to consider whether sentences for a particular offence need to be longer or, indeed, shorter, and so give guidelines. While the court might agree that the original sentence was inadequate, it may also leave the sentence unchanged if, for example, the offender is doing well under a Community Service Order.

How then does the Attorney-General learn of a case which may require a reference? The Crown Prosecution Service refers the bulk of the 160 or so cases brought to its attention annually. MPs of aggrieved constituents may write and about 12 cases a year are reported by members of the public, usually distressed relatives. A newspaper may also mount a campaign as *The Sun* did in a death by dangerous driving case last year.

In all these cases the Attorney-General will call for the papers. Curiously, although police officers as a body tend to mean about lenient sentences, individual officers do not write in, apparently



In the spotlight: Sir Nicholas Lyell, QC, can refer cases to the Court of Appeal for resentencing

preferring the matter to be handled by the Crown Prosecution Service.

Of course, not all seemingly lenient sentences qualify for the personal review the Attorney-General or, in his absence, the Solicitor-General, is required to give. It is not that the members of the Court of Appeal would have themselves imposed a more severe sentence.

The keyword is unduly. The judge must have appeared to depart seriously from the guidelines already laid down. One of the more notorious examples was the youth given probation for the rape of a young girl.

Including cases withdrawn because of a successful appeal against conviction, the annual total of

references crept up from 26 in 1990 to 81 last year. Most references come after convictions for robbery and grievous bodily harm offences, which over the years have made up 26 and 22 per cent respectively. The emotive offence of death by dangerous driving comes next with 14 per cent and rape accounts for just over 11 per cent. Manslaughter follows with just 5 per cent. There has only been one reference in a case of cruelty to a child.

The Attorney-General's record of successful applications has been between 80 and 90 per cent. There has, however, been a drop in the success rate, from 86 per cent last year to 69 per cent this year. Are there fewer errant judges, or is it because there is a new Lord Chief Justice?

If you, as a member of the public, seriously believe a sentence is inadequate write to the Attorney-General. Your comments are guaranteed to be considered.

## The Times Law Awards 1996



THERE is still time to enter the competition for *The Times* Law Awards 1996 with One Essex Court and win up to £3,000.

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Further details can be obtained by ringing 0171-583 2000. The closing date is December 6.

## Court kiosks dispense greater legal access

The Government's recent Green Paper on how government services may be delivered electronically is a glimpse of the future. It raises the prospect of information kiosks in the courts where people can obtain information about the legal system and the law.

Pioneered commercially in America and now also used in Australia and Singapore, these self-service court kiosks are designed to streamline a variety of complex legal procedures and are said to be easy to use and conveniently located in or near court buildings.

People use them like cash dispensers. They are faced with a computer screen and a simple keyboard. Available all day every day, people have user-friendly, multi-media and touch-screen information about the law and are guided through legal issues by a mixture of video recordings, colourful screens and the recordings of a multilingual human voice.

One system allows members of the public to pay their traffic violations, schedule a court appearance date and obtain information on small claims procedures and other court services. Another provides information about the upper courts and can produce laser-printed legal documents. These include the forms necessary for obtaining a forcible detainer (eviction) and even for the filing of an uncontested divorce. Once printed, the output is ready for signature, authorisation if appropriate, and then for filing with the court. Information is also provided about the workings of the court system, alternative methods of dispute resolution and landlord and tenant law.

The idea has already won the backing of Lord Woolf, Master of the Rolls. By dispensing legal guidance rather than cash, the idea is that court kiosks will provide basic guidance and support to lay people who would otherwise be reluctant or unable to instruct lawyers.

The idea is in line with the main thrust of *Government Direct*, the ambitious Green Paper which anticipates online completion of tax returns, granting of licences, payments of grants and

Richard Susskind reports on how new technology will improve the public's dealings with the law

benefits, as well as the provision of government information and the administration of regulations on screen.

The Green Paper in turn echoes recommendations earlier in the year from the House of Lords' Select Committee on Science and Technology in its agenda for action for the UK information society; and indeed last year's *Communicating Britain's Future*, the Labour Party's contribution to the debate.

There seems to be widespread

They will provide help to people reluctant to instruct lawyers

agreement over the fundamental motivation behind court kiosks and online government - that non-lawyers (for whom ignorance of the law is, of course, no excuse) should be given greater, easier and cheaper access to legal information and guidance as can now be afforded through IT.

But while the Green Paper helps refine the technical case for kiosks, there is something rather bizarre about having such kiosks only in court buildings. If the aim is to render the law less forbidding and more congenial, insisting on a trip to the formidable environment of most court buildings may rather defeat the purpose. More than this, to require citizens to make special visits to special locations for their

consultations is precisely to miss the opportunities telecommunications afford.

Why not harness the power of electronic communications and make the information available at more popular sites, such as public libraries, post offices and shopping malls, as the Green Paper suggests for government services?

Looking ahead, one can also begin to question the assumption that legal guidance will be most easily digested and assimilated if dispensed through kiosks in the manner of cash. The original kiosk designers sought to offer access to the law through a medium with which, they judged, most lay people would be comfortable. Given the uptake in usage of cash dispensing machines, there must have been attractions in using that same general approach to human machine interaction. But looking just a few years down the road, we can be equally confident that there will be a far more pervasive and dominant mode of interacting with technology and that will be today's personal computer with some graphical user interface, integrated into television technology. The likely avalanche of purchase and use of computers for domestic purposes will result in a level of familiarity with PCs which will surely displace cash dispensing technology as the most familiar way of dealing with machines.

In the IT-based information society, when the World Wide Web takes over from the bookcase as our major information source, it will become natural to turn to the PC or the television for legal help. And, to make matters easier still, before too long we will navigate around these information systems not by using keyboard and mouse but, through voice recognition technology, by talking to our machines.

So purpose built, public access kiosks may turn out to be simply an interim technology, plugging the gap between now and the day when we can receive everyday legal guidance by speaking to our televisions.

● The author is a special adviser at Masons and the author of *The Future of Law* (OUP).

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With a turnover exceeding £2bn, and continuing to grow at a rapid rate, ICI Paints is the world's largest paint business. From the headquarters of the global business in Slough, the Legal Affairs Department tackles a diverse and challenging caseload. For this role, we are looking for a committed, high calibre lawyer to work with others in the provision of a comprehensive legal service to the UK business.

As well as the more routine aspects of commercial law, such as the drafting and negotiation of contracts, you will be expected to deal with a wide variety of legal issues and required to manage a small team which will support you in your role. A good knowledge of UK and European competition law would be preferred.

You may be expected, as your role develops, to undertake project work within the international business, requiring overseas travel. Here you would be working with commercial and legal colleagues, often instructing and managing external lawyers working overseas.

We are looking for a lawyer with the professional expertise and commercial acumen to manage a challenging workload of diverse commercial legal issues. You must have around 3 to 4 years' professional legal experience as a solicitor or barrister, gained either in private practice or in industry. Experience of working with or for commercial clients is crucial and you must already have demonstrated the quality of your judgement in commercial matters.

We offer a generous salary and benefits package, together with excellent scope for future career development. So, if you're interested in a challenging commercial role with a world-class company, contact our advising consultants at In-House Legal, Gareth Chambers or Lindsey Newman, on 0171 405 0151 (evenings and weekends on 0171 609 6857) or send your cv to them at In-House Legal, 17 Red Lion Square, London WC1R 4QH. Fax: 0171 831 6498. E-mail: hwggroup@hwgroup.co.uk

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LEGAL**

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## Key Property Partner Central London firm

We are a 40 partner City firm well known for the quality and strength of our property department which acts for major institutions, property companies, developers and retailers on the most demanding of transactions.

We wish now to appoint another property partner who will be a proven rainmaker able to work alongside the Head of Department in developing our property practice.

The Partnership is committed to making an appointment of the highest quality and this will be reflected in the partnership package available. This is an unusual opportunity to play a major part in the continued development of a well motivated and successful team.

For further information in the strictest confidence, please contact Dominique Graham, on 0171 430 1711 or write to her at Graham Gill & Young, 46 Kingsway, London WC2B 6EN.

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## Investment Banking City

**Cross Border M&A**  
Corporate-finance role for 2 years' capital-markets/corporate-finance experts to work on cross-border M&A deals - languages preferred.  
Ref 33805 - Claire Hine

**Corporate Finance**  
Outstanding corporate-finance openings for City lawyers with 0-2 years' PQE and excellent academic records to join leading merchant bank.  
Ref 33195 - Claire Hine

**Capital Markets**  
Excellent opening for individual with 4-6 years' experience in developing country finance, particularly Latin American debt transactions.  
Ref 33864 - Claire Hine

**Corporate Finance**  
European investment bank seeks corporate-finance managers. Should have 3-5 years' relevant experience with a legal or accountancy background.  
Ref 34336 - Richard Pusey

**Compliance - Germany**  
Leading securities house seeks compliance specialist with 5 years' experience. Knowledge of German language and regulations essential.  
Ref 34487 - Richard Pusey

**Derivatives**  
Major European investment bank requires derivatives specialist with 1-3 years' relevant experience. Excellent career prospects.  
Ref 32190 - Richard Pusey

Routier Simkin  
8 Grassie Buildings  
Chancery Lane  
London EC4A 1DY  
Tel: 0171 405 4161  
Fax: 0171 242 1261  
E-Mail: rsl@psd.co.uk

INVESTOR IN PEOPLE

## KIMBELL & CO SOLICITORS

## Property: Brewery & Leisure City Salary; Partnership Ambition Pre-requisite

Established in 1985 Kimbell & Co legitimately claim to be one of the most distinctive private practices. With a partnership drawn entirely from major City firms and an enviable client base, the past decade has seen them successfully develop as a niche commercial firm.

An unrivalled opportunity exists at the Milton Keynes office within a dedicated Brewery and Leisure team. Widely recognised as a leading force in this challenging and diverse area of law our client currently represents an expanding portfolio boasting several household name breweries.

Frustrated with restricted partnership prospects and desiring more varied commercial exposure the successful applicant will blend technical and personal skills. Based in a City or leading provincial practice you will possess 2-5 years' property experience with a brewery/leisure background advantageous. If you partnership firmly on the agenda you must exhibit the making of a difference, drive the practice on and justify the outstanding package available.

To discuss this opportunity in complete confidence, please contact Mitchell B. Eng (Hons). Alternatively, send your CV to the firm, reference number 23891.

PSD

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Legal Recruitment

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# If your legal qualifications are all you have to offer, goodbye.

ASSISTANT SOLICITORS • COMPANY/COMMERCIAL DIVISION

Everyone deserves a life outside work. However, impressive their professional qualifications, someone whose life is focused solely on work may not bring as much to the firm, or the deal, as the more rounded individual. Following a number of recent high profile lateral hires, we need several such rounded people urgently.

And in our search for Assistant Solicitors - ideally with up to five years' post-qualification experience - the last thing we're looking for is people who measure success by their tally of recent "all-nighters".

We're interested in people whose breadth of external interests and activities can add all-round flair and individual personality to what must be one of the most progressive major partnerships based in the City.

Our Company/Commercial Division - part of a firm with a 150-year tradition of pre-eminence - is expanding

fast, both across Europe and in the Far East. Our caseload of MBO's, M&A's and acquisitions - an excellent mix of work for a truly international client base - is creating a tangible sense of momentum and opportunity.

In short, if you want to enjoy your career as well as excel in it, you'll find that the opportunities to make your presence felt are, relatively speaking, a real breath of fresh air.

Start getting your priorities right. Contact our advising consultants Andrew Gelling or Jon Moore, on 0171 477 0510 (0171 241 1219 evenings/weekends), or write to them at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 247 5174. E-mail: Andy@zmb.co.uk

Alternatively speak directly to Anthony Rose at Barlow Lyde & Gilbert on 0171 247 2277.



## PRIVATE PRACTICE - LONDON

**UK CORPORATE HEAD** TO £700,000  
A firm which on any day would be considered a New York heavyweight, has now committed to establishing a full scale UK practice which will be corporate led. The cornerstone of its London office will therefore be the recruitment of a heavyweight City corporate finance partner since currently from a top 20 London firm whose first task, having been integrated into the firm's culture, will be to recruit a core team of up to 20 like-minded practitioners. This role is likely to be one of the highest profile in the City in the next 2 years. (Ref:7903)

**COMMERCE/REGISTRATION**  
The huge volume of transnational corporate work in the City means that several top 10 City firms are interested in lawyers (whether solicitors or barristers) with top flight academic and, most importantly, a genuine desire to specialise in mainstream corporate or finance transactions. Relevant previous experience is not essential as full training/mentorship will be given. (Ref:7717)

**SENIOR PROPERTY ASSISTANT** TO £70,000  
Unusual opening at London office of prestigious US firm. The Client is seeking an increasing throughput of property work which it would like to be able to handle "in-house". It therefore seeks an assistant ideally 5-8 years qualified as one of the top 20 City firms with the confidence to take on responsibility for setting up this function. Prospects for partnership are genuine as the London office as a whole, and property group. (Ref:7631)

**CITY CORPORATE & FINANCE** TO £50,000  
This top five City firm seeks a number of assistants (up to four years qualified) with intellectual agility, keen commercial awareness and an interest in corporate finance, commercial and banking matters to assist on some of the City's highest profile UK and international corporate and financial transactions. The firm offers unrivalled career opportunities and a chance to make your mark in one of the City's finest corporate practices. (Ref:6059)

**CAPITAL MARKETS** **EXCEPTIONAL** £32-45,000  
Capital markets remains an area in huge demand, both within private practice and banks. Our Client, arguably the leading City firm in this area, is looking for outstanding capital markets lawyers (with either debt or equity experience) who are keen to work at the cutting edge of developments in this field. Remuneration package outstanding for the right candidate. (Ref:8521)

For further information in complete confidence on these and the many other private practice vacancies registered with us, please contact Yasmin Phillips, Yvonne Smyth or Andrew Castledine on 0171-377 0510 (0171-376 4958 evenings/weekends). Alternatively write to us at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail: yasmin@zmb.co.uk Website: http://www.zmb.co.uk



## COMMERCIAL LAWYER

A good legal brain?  
Then join an organisation that's equally strong-minded.  
S. E. London Attractive salary + benefits

Woolwich Building Society is certainly a resolute organisation - with a business pedigree to match. The third largest building society in the UK, our success has been built on first-class financial products, an excellent corporate strategy and bright, committed people.

As we are poised to convert to plc status we now need another commercial lawyer at our corporate headquarters. You will be part of a friendly and highly focused team that provides commercial and corporate legal advice on a wide range of subjects; these will include banking, statutory regulation, professional negligence, employment and general contractual and contentious matters. Experience of civil litigation is desirable, but not essential.

To succeed, it's essential that you are a qualified Solicitor with at least three years' post qualification experience. What's more, you'll be naturally analytical, persuasive and have a good eye for detail and a practical approach to problem solving.

In return, we offer an attractive salary to reflect your experience, plus a wide range of excellent benefits, including 26 days' holiday, staff mortgage, BUPA, contributory pension and good on-site facilities. Relocation assistance may also be available. So, if you have the powerful legal brain we're looking for, then why not join an organisation that's equally strong-minded?

Please send your full CV including current salary details to Celia Chidwick, Manager - Personnel Operations, Woolwich Building Society, Corporate Headquarters, Watling Street, Bexleyheath, Kent DA6 7RR by Thursday 12th December 1996.

The Woolwich is an equal opportunities employer. We welcome applications from people with disabilities, from all races, religions and from both sexes.



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— BUILDING SOCIETY —

INVESTOR IN PEOPLE

## WIGGIN AND CO

Solicitors

### NOT ALL PRIVATE CLIENT WORK IS THE SAME!

Cheltenham NQ - 2 yrs' ppe £City + car

#### WHY WIGGIN AND CO?

Founded in Cheltenham over 20 years ago, Wiggin and Co is one of the U.K.'s premier niche firms and is staffed almost exclusively by lawyers who started their careers in top London practices. Our lawyers enjoy a quality of work and rewards, both professional and financial, comparable to the Capital, yet in an enviable Cotswold setting. We undertake private client, commercial and media work for an ever growing domestic and international client base, from offices in Cheltenham, Los Angeles and London.

#### WHO ARE OUR CLIENTS?

As well as domestic and offshore tax planning and trust advice, we look after all the commercial affairs of high net worth individuals from all over the world, often necessitating foreign travel. Happily, our greatest source of work is referrals from our clients, who come from a variety of backgrounds including the media and entertainment field.

#### WHO ARE WE LOOKING FOR?

No relevant experience is required. You should be a recently qualified solicitor with good training during articles and a strong academic background. All we ask is that you be committed to undertaking demanding work for a varied client base.

In return we will offer you a City salary, a car after six months and the opportunity to work in the attractive and lively surroundings of Cheltenham.



For further information in complete confidence please contact Chris Cayley or William Cook (both qualified lawyers) on 0121 212 9555 (01242 241377 evenings/weekends) or write to them at Quarry Douglall Recruitment Midlands, Cornwell Buildings, 45 Newhall Street, Birmingham, B3 3QR. Confidential fax 0121 212 9777. This assignment is being handled exclusively by Quarry Douglall and all direct or third party applications will be forwarded to them.

74 LONG LANE  
LONDON, EC1A 9ET

## CHAMBERS

TEL: 0171-606 9371  
FAX: 0171-600 1793

#### The Whole View

A cautionary anecdote comes to us about a candidate who failed an interview because the interviewers were not convinced he showed sufficient commercial acumen. His specialty was commercial property, and he was asked at the interview to describe one of the major transactions he'd been involved in which was listed on his c.v. As he outlined his contribution he was interrupted by the interviewers who wanted to know about the transaction as a whole. What was the deal? What was his client trying to achieve? What was the main purpose of the property transaction?

Unfortunately, the candidate knew very little about the deal as a whole beyond his own property involvement. The firm he worked for did not, assume firms do, take all the participating lawyers through the logic of the transaction in order to explain its overall rationale. If they had, he would have passed the interview.

As it was, he appeared to lack a commercial understanding of what he was doing. Employers are putting increasing emphasis on candidates' knowledge of the wider commercial implications of their work. It is important to bear this in mind when going for an interview. If you put any transactions on your c.v, make sure you know about them in the round. This is easier, of course, for company/commercial lawyers, but it applies equally to those handling the property, IT, tax or employment angles.

Michael Chambers

#### INDUSTRY & BANKING Sonya Rayner, Morwenna Lewis

**Intellectual Property: West London**  
Opportunity for junior lawyer to join top consumer goods co. Role will primarily involve maintenance of trademarks. General familiarity with IP req'd although some employment & gen. comm. exp. would be useful.

**Project Lawyer: London**  
Construction lawyer with 6-7 yrs' exp. gained in-house or in private practice to manage major UK construction/engineering project. Exp. of standard construction contracts, procurement etc. & environmental law req'd.

**Media Group: London**  
Opportunity for solicitor with 2-3 yrs' ppe and exp. of M&A's and general commercial work to join successful international co. Some travel. Excellent remuneration.

#### PRIVATE PRACTICE SOUTH: Helen Mills, Aileen Shepherd

LONDON: David Woolston, Simon Anderson NORTH: Sukh Bhatta MIDLANDS: Nimisha Gosrani

**Partnership Positions**  
We have been assisting partners seeking a career move for over 20 years now and are regularly placing several partners each month.

**Construction: Newly Qualified**  
Large City firm with high profile construction practice seeks newly or recently qualified solicitor with at least 6 months' relevant exp. as a trainee.

**EU Partner: City**  
One of the City's top EU practices seeks senior solicitor to replace departing partner. Broad EC caseload plus team leader role. Immediate partnership.

**Employment: City**  
Medium-sized City firm seeks an assistant with 1-3 yrs' contentious and non-contentious employment experience to join their small, friendly team.

**Banking: Central London**  
First rate medium-sized firm, just outside the City, offers 2-5 yr qualified solicitor excellent partnership prospects and high quality general banking caseload. To £60,000.

**Investment Banking: City**  
Opportunity for junior lawyer with exp. of debt documentation to join investment arm of international bank. Work will include Eurobond and ISDA documentation and derivative products generally.

**Legal Adviser: Central London**  
Opportunity for Solicitor or Barrister with 2-3 yrs' ppe to handle a broad range of commercial contracts review, computer supply agreements, property related contracts, employment law, etc. for well-known profit advisers.

**Legal Assistant: Home Counties**  
Solicitor or Barrister with 3 yrs' ppe to join international software co. Exp. of IT contracts essential; financial background useful. Attractive package/prospects.

**Litigation Partner: WC1**  
Outstanding litigator required by this well-known firm to join as a partner and play an important part in development role. Ideally aged between 30 and 35.

**Corporate: West End**  
Leading media/entertainment firm seeks 2-3 yrs' qual City-trained solicitor with ongoing personality for corporate/fundations work for major international media groups.

**Professional Negligence: South East**  
SIF panel firm seeks solicitor with 5-7 yrs' ppe who is experienced in def. prof. neg. work & is partnership culture.

**Tax: Birmingham**  
Tax solicitor with 2-3 yrs' ppe sought for corporate dept of top-making firm. Work will include wide range of tax issues.

**Commercial: Birmingham**  
Magnificent opp for 2-5 yrs qual solicitor to handle contract drafting, franchise agreements & competition wk.

**Corporate Finance: Leeds/Manchester**  
If you are a corp fin solicitor between 0-5 yrs qual and looking for good prospects and a high salary, please call now.

## TOP LONDON JOBS

**CORPORATE FINANCE** To £70,000  
The major City firm with outstanding corporate finance reputation needs 2 additional lawyers. Firstly, an assistant with 3-4 years' ppe in a broad range of corporate and corporate finance work, including Yellow Book, as well as an assistant with 2-4 years' ppe with knowledge of share and business purchase agreements in Lloyd's transactions. Ref: T33459

**EMPLOYMENT** To £38,000  
One of the largest firms in the world can offer a very full range of contentious and non-contentious employment work, mainly for high-profile employers, to a lawyer with 1-2 years' ppe. The firm offers unusual amounts of responsibility and practice development opportunities. Ref: T26355

**BANKING AND STRUCTURED FIN.** To £75,000  
Genuine and rapid career development is on offer in the banking department of this top 10 City firm. It wants a lawyer with up to 6 years' ppe to handle work in all areas, including structured finance, projects, capital markets and international transactions. Superb training given. Ref: T21647

**CORPORATE** To £65,000  
Real partnership prospects at this well-known medium-sized City firm with a top client base. As a corporate finance lawyer with 4-6 years' ppe ideally from a smaller City or leading provincial firm the work will be varied, but particularly M&A and related equity and debt financing. Ref: T29237

**BANKING LITIGATION** To £35,000  
The top 10 City firm boasts a leading banking practice servicing a string of blue chip clients, quality training and tremendous promotion prospects. You need 1-2 years' ppe in banking litigation or, if a newly qualified, an interest in the banking litigation area. Recruitment reflects department's success. Ref: T7016

**IT/MEDIA/TELECOMS** To £60,000  
The top 10 City firm is renowned as punching way above its weight and the type of clients you will be servicing prove this. Excellent pay and real prospects offered to an IT lawyer with 3 years' ppe and a media/telecoms lawyer with 3-5 years' ppe. Excellent career move. Ref: T16886

**OIL AND GAS** To £55,000  
The top 15 City firm has an enviable record of advising on major oil and gas projects both domestically and especially internationally. It offers top notch experience for a lawyer with 2-5 years' ppe in the area to give advice on petroleum, regulation and competition matters. Superb opportunity. Ref: T22326

**PRIVATE CLIENT** To £60,000  
The major City firm takes private client work and lawyers seriously, which reflects the pay and prospects on offer. With clients ranging from high net worth foreign domiciles and directors of large companies, it needs lawyers with 4-6 and 18 months' 3 years' ppe in complex tax and trust matters, having ideally gained your experience at another major firm. Ref: T29752

**EC/COMPETITION** To £36,000  
Superb first move for an EC/competition lawyer with 2 years' ppe to join a major City firm. The work will be varied, including trade and single market, merger control and joint ventures as well as advising on the regulatory regimes in the utilities sector. Ref: T26763

**VENTURE CAPITAL** To £36,000  
Very exciting pay and prospects to be found at this leading City firm in venture capital, either for a specialist lawyer or a commercial lawyer with a keen interest in the area and up to 2 years' ppe. Work includes establishing venture capital and buy-out funds across Europe, at which this firm is a market leader. Ref: T19213

**ASSET AND CONSUMER FINANCE** To £Excellent  
This top 15 City firm offers a real future to a lawyer with at least 2 years' ppe in private practice or in-house and experience of small and medium ticket deals, sales and work and Consumer Credit Act matters. The firm richly rewards good work. Ref: T33717

**CORPORATE/BANKING** To £28,500  
Newly qualified in corporate or banking could not hope to join a better firm than this top 10 City practice. It offers the brightest lawyers the brightest futures and is prepared to put money - and promotion prospects - where its mouth is. The training on offer is also first class. Ref: T28327

**PROPERTY FINANCE** To £Partnership  
Joining the London office of this very large US firm will make you above-average in terms of the rewards you receive, the speed of your progress towards partnership and the quality of the work you do. Lawyer with 5+ years' ppe needed for property aspects of securitisations. Ref: T31837

**INSURANCE LITIGATION** To £42,000  
One of the City's most respected firms has one of the best insurance practices. Work with the best. If you have 2-3 years' ppe, ideally with product liability, professional indemnity or reinsurance experience. You will act mainly on behalf of the defendants. Ref: T29653

For further information, in complete confidence, please contact Emma Cowell, Greg Abrahams or Seamus Hoar (all qualified lawyers) on 0171-405 6062 (0171-427 3674 or 0171-264 5601 evenings/weekends) or write to them at Quarry Douglall Recruitment, 37-41 Bedford Row, London WC1R 4PL. Confidential fax 0171-831 6394. E-mail: emma@quarrydouglall.co.uk (not needed)



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## FRESHFIELDS

### CORPORATE TAX LAWYERS

Would you like to join one of the consistently top-rated corporate tax practices in the UK, with a spread of work second to none? Would you like to work in a tax department which has a reputation for friendliness, team spirit, close liaison with partners, and an excellent and well-proven approach to training and development?

To cope with demand, we need more young tax lawyers who either:

- have one to two years' post-qualification experience, preferably (but not necessarily) in the tax field, or
- are about to or have just qualified and have excellent training.

If you are interested in a career in corporate tax, we'd like to hear from you. We are looking for people with:

- strong academic qualifications
- good instincts about people and business
- the personality and application to flourish in a demanding but rewarding environment.

You will join a progressive and ambitious firm, undertaking a broad range of top quality work in a highly commercial and increasingly international field. As a corporate tax lawyer, you will have an essential and exciting role to play in the firm's work. Salaries and benefits are excellent.

Please write in confidence, enclosing your CV to: Jonathon Hill, Personnel Department, Freshfields, 65 Fleet Street, London, EC4Y 1HS.

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## WHITE & CASE

### WE REQUIRE LAWYERS WITH 0-4 YEARS' PQE IN THE FOLLOWING:

- Corporate Finance • Capital Markets • Project Finance
- International Banking • Energy • Construction • Litigation

White & Case is one of the world's leading international law firms. Established in 1901 and with over 25 years' presence in London we have more than 700 lawyers in 28 cities in Europe, the United States, the Middle East, Asia, Africa and Latin America.

The London office currently has over 30 fee earners, the majority English qualified. To meet the demands of our expanding practice we are now seeking outstanding solicitors from newly qualified up to 4 years' ppe.

#### IF YOU ARE:

- already performing strongly at a leading City firm
- intellectually outstanding
- personable and energetic

#### WE OFFER THE OPPORTUNITY TO:

- join a leading international practice with a global reach and reputation
- handle complex, stimulating and varied work
- enjoy commensurate financial rewards
- progress to partnership in a meritocratic system rewarding overall contribution



For further information, in complete confidence, please contact Gareth Quarry or Seamus Hoar our retained consultants on 0171-405 6062 (0171-403 5727 evenings/weekends) or write to them at Quarry Douglall Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax 0171-831 6394. This assignment is being handled by Quarry Douglall on an exclusive basis. All responses received direct or from third parties will be forwarded to Quarry Douglall.

## TROWERS & HAMLINS PUBLIC SECTOR DEPARTMENT

Trowers & Hamblins is a large and expanding firm of solicitors, based in London but with offices in Manchester and Exeter in the UK and also in the Arabian Gulf.

The firm's dedicated Public Sector Department provides advice to Central and Local Government and related bodies. This Department is expanding rapidly and we are seeking to attract two Solicitors for our London team who will have the following qualifications:

- \* 1-2 years' PQE with either Central or Local Government or a commercial firm advising the Public Sector or organisations dealing with it.
- \* A strong academic background.
- \* An ability to run large transactions with a heavy document load, and under pressure.
- \* First class drafting skills and negotiating experience.
- \* The personal skills and flexibility needed to work as a member of a close knit team.

These posts offer an exciting opportunity for suitably qualified lawyers to join an expanding specialist team with a high reputation in public sector work.

If you would like further information about these posts, please write in confidence with a CV to John Clark, Head of Public Sector Department, Trowers & Hamblins, 6 New Square, Lincoln's Inn, London, WC2A 3RP.



### Director - Serious Fraud Office

The Attorney General wishes to appoint a successor to George Staple when his 5 year contract ends in April 1997.

The aim of the Serious Fraud Office is to deter fraud and maintain confidence in the UK's financial systems by the effective investigation and prosecution of serious and complex fraud.

The post of the Director is a senior statutory appointment requiring an experienced lawyer able to take forward some of the most demanding cases in the criminal justice system. The Director is very much the "public face" of the SFO, liaising among others with the police, City regulators and enforcement agencies both here and abroad. As head of the SFO the successful candidate will have overall responsibility for the management of the office and be responsible to Parliament for a budget of £17 million.

Suitable candidates will need the ability to communicate effectively and manage the office, as well as developed legal skills. The successful candidate will receive the salary of a High Court Judge.

To discuss this opportunity in complete confidence, please contact Nicholas Woolf. Alternatively, send your CV to him at the address below. Closing date December 20th. The Civil Service is an equal opportunities employer.

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Reuter Smkin  
Legal Recruitment

Reuter Smkin  
5 Bream's Buildings  
Chancery Lane  
London EC4A 3DY  
Tel: 0171 405 4181  
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## EC LAWYER BRUSSELS

### BFr 2,500,000 - 4,000,000

#### FAST TRACK TO PARTNERSHIP

#### TOP 10 CITY FIRM

Highly rated for its EC practice, our Client is one of London's premier international law firms. It is proud of its non-hierarchical reputation and the fact that lawyers at every level have real input into marketing and client development.

London and Brussels form an integrated EC group which handles a regular flow of high profile competition issues and advises on international trade, free movement of goods and intellectual property within the EC.

The firm is now seeking to make a key appointment in Brussels. The role will include handling a broad portfolio of EC work and helping to refine and implement the firm's business plan for development in Brussels and beyond. The lawyer sought will ideally be 5-7 years qualified.

In addition to applications from high grade assistant solicitors at other City practices, the firm will actively consider senior EC specialists qualified in other European jurisdictions for this appointment. The salary package will be highly competitive and, for the right candidate, there are genuine partnership prospects.

For further information on a strictly confidential basis please contact Joe Macrae or Yvonne Smyth at ZMB on 0171-377 0510 (0171 359 5212 evenings/weekends) or write to them at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail joe@zmb.co.uk

# ZMB

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## LEGAL ADVISOR

### INTERNATIONAL INVESTMENT BANK

#### To £60,000

Our client is the European investment banking arm of a top international bank. Its niche investment banking business, based in London, is highly profitable and well regarded in the global financial markets. The legal department supports all of the bank's activities which include swaps/derivatives, new issues, fixed income, repos and corporate finance.

An additional lawyer is sought to enjoy a particularly broad advisory role, working closely with the existing legal team. The responsibilities will include providing legal services for the trading desks, drafting and negotiating documentation for non-standard transactions and advisory work for the corporate finance department. The position also involves supervision of staff who handle negotiation of master agreements. Familiarity with ISDA and ISMA documentation would be an advantage. In addition there will be the opportunity to be involved in more general commercial work such as employment law, IT and general contracts.

The bank has an extremely supportive culture and will offer the opportunity to handle high quality work in a relaxed yet challenging environment. 3-5 years' capital markets experience is preferred as is practical experience of working in-house. However general finance lawyers, providing they are flexible, commercial and adaptable "team" players, will also be considered.

For further information in complete confidence please contact Lisa Hicks or Yasmin Phillips on 0171-377 0510 (0171-735-5548 evenings/weekends) or write to them at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail lisa@zmb.co.uk

# ZMB

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## WE'RE LOOKING FOR THE BEST LAWYERS IN LOCAL GOVERNMENT.

### ARE YOU ONE OF THEM?

# Lewisham

LONDON'S LEADING AUTHORITY

Lewisham is London's leading authority. Innovative and ambitious, we offer high quality services and outstanding employment opportunities to our local community.

Ours is an environment in which the highest standards of advice are provided, legal powers are used effectively and imaginatively, and clear standards of both propriety and conduct are maintained at all times. Already an accredited Investor in People, we are also about to achieve ISO9001 registration for our Legal Services.

Given this impressive list of achievements, our success so far in CCT is understandable. But when you additionally take into account that these have all taken place in the last twelve months, the dynamic approach and rapid pace of change here in Lewisham becomes even more apparent.

If your high standards match ours, now comes the opportunity to play a key role in this centre of excellence.

### Head of Law

Up to £55,614 pa inc

In this newly created post, you'll act as the Council's primary legal advisor. This entails advising at the highest levels on the most complex and sensitive matters whilst constantly monitoring the legality and propriety of conduct. You'll also provide strategic direction to the Legal Practice by managing change and developing a variety of key processes and initiatives such as training, quality assurance (ISO9001) and business planning.

We're looking for an exceptional individual to fill this pivotal position. Someone who combines an impressive track record at senior level with a comprehensive knowledge of local government law and outstanding leadership and management skills. Ref: L54.

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# Lure of gold card attracts players of different strokes

With one round remaining

Ingleby said: "I have realised I am not out of my depth. I have earned the right to be here. I have let my golf speak for itself. The pressure is off me because I know this is not my whole life."

**Ingleby, 20 shots off the lead, cuts a lonely figure as he plays to the 1st green yesterday**

[illegible]

## 49ers strike golden seam of quarterbacks

**HEROL GRAHAM** returns to the ring tonight in Sheffield.

# Graham keen to cash in

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## Panthers let prey get away twice

beat Bracknell Bees. Although falling behind after five minutes, Bison won more easily than the 5-4 scoreline would suggest.

## Confident Williams puts Bond in shade

McMullan stole the frame on the black and, aided by runs of 72 and 94, accounted for four of the next five to take control.

John Spencer, whose resignation as chairman of the World Professional Billiards and Snooker Association be-

**CHILLIE ROLAND**  
(c) The King of Effizand kidnaps However, he rescued her. "C... of a British man." King Roland his lid, with this obvious combat tale Jack, the Giant-Killer.

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**SOLUTION TO WINN**  
1. Ref leaves Black without a decent

charming and seductive love poem in the *carpe diem* mode,  
erotically pitched to steal your breath away.

**CHILDE ROLAND**  
(c) The King of Elbana kidnapped Burd Ellen, Roland's sister.  
However, he rescued her. "Childe Roland to the dark tower  
came." His word was still, *Fie, fo, and fum, / I smell the Mound  
of a British man.* "King Lear *li, 4*. For once Shakespeare flipped  
his lid, with this obvious conflation of the Shakes with the fairy-  
tale *Jack, the Giant-Killer*.

SONNETS AND MURDER IN CHILDE ROLAND

1. Red leaves Black without a decent reply.

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SONNETS AND MURDER IN CHILDE ROLAND









## CRICKET 43

West Indies thrown on to back foot by revitalised Warne

## SPORT

TUESDAY NOVEMBER 26 1996

## GOLF 46

What drives the journeymen back to school?



Absence of big names propels German to commanding RAC Rally win

# Schwarz quick to capitalise on devaluation

By OLIVER HOIT

LAST year the world championship was at stake and Colin McRae won the Network Q RAC Rally by a nail-biting margin of 30sec. This year nothing was at stake and Armin Schwarz, a journeyman German, coasted to the finish in Chester at dusk yesterday with a cushion of 7min 52sec. Talk about "after the Lord Mayor's Show".

Treacherous conditions and the early exits of the few big-name drivers who bothered to compete in an event that, for the first time in many years, was not part of the world championship, robbed the rally of much of the drama that has captivated supporters in the past two seasons, in particular when McRae pushed British rallying to new heights.

Yesterday the leading British finisher was Mark Higgins, from the Isle of Man, who drove his Nissan Sunny superbly to finish on top of the times in two of the day's stages and end the rally in fourth place. Still, he was hardly met with the euphoria that greeted McRae when he screeched his

Subaru to the top of the winner's ramp at Chester racecourse this time last year. This year the rally, which will be restored to the championship next season, was bound to be something of an anticlimax, but the absence of McRae, Carlos Sainz and Tommi Mäkinen, the new world champion, the travails

ensuring that Schwarz, in his Toyota Celica, was free to amble to the finish in perfect rallying conditions, comfortably ahead of Masao Kamikawa, in a Subaru Impreza, and Stig Blomqvist, 50, from Sweden in a Skoda, who had had an even more crushing win 13 years ago.

Schwarz, who deserves credit for staying on the road in the worst of the conditions on Saturday, when so many others failed conspicuously, was overwhelmed by his win. He was not exactly a rank outsider, driving as he was in one of the few four-wheel cars in the rally, but he is not regarded as being in the leading class with McRae, Sainz, Mäkinen and Kankkunen.

"We planned to come here and drive quickly right from the beginning," Schwarz said, "and we have ended up leading from the start to the finish. It was fantastic, better than anything I have achieved before. First we had to fight against Juha and Ari and then the conditions. It was not easy to stay on the tracks all the time."

Yesterday, as Schwarz continued his steady progress towards Chester through the nine stages in the forests of mid-Wales, most attention centred on the downfall of Martin Brundle, the Formula One driver, who seemed to have recovered his poise after a miserable first day and was edging his way back up through the field.

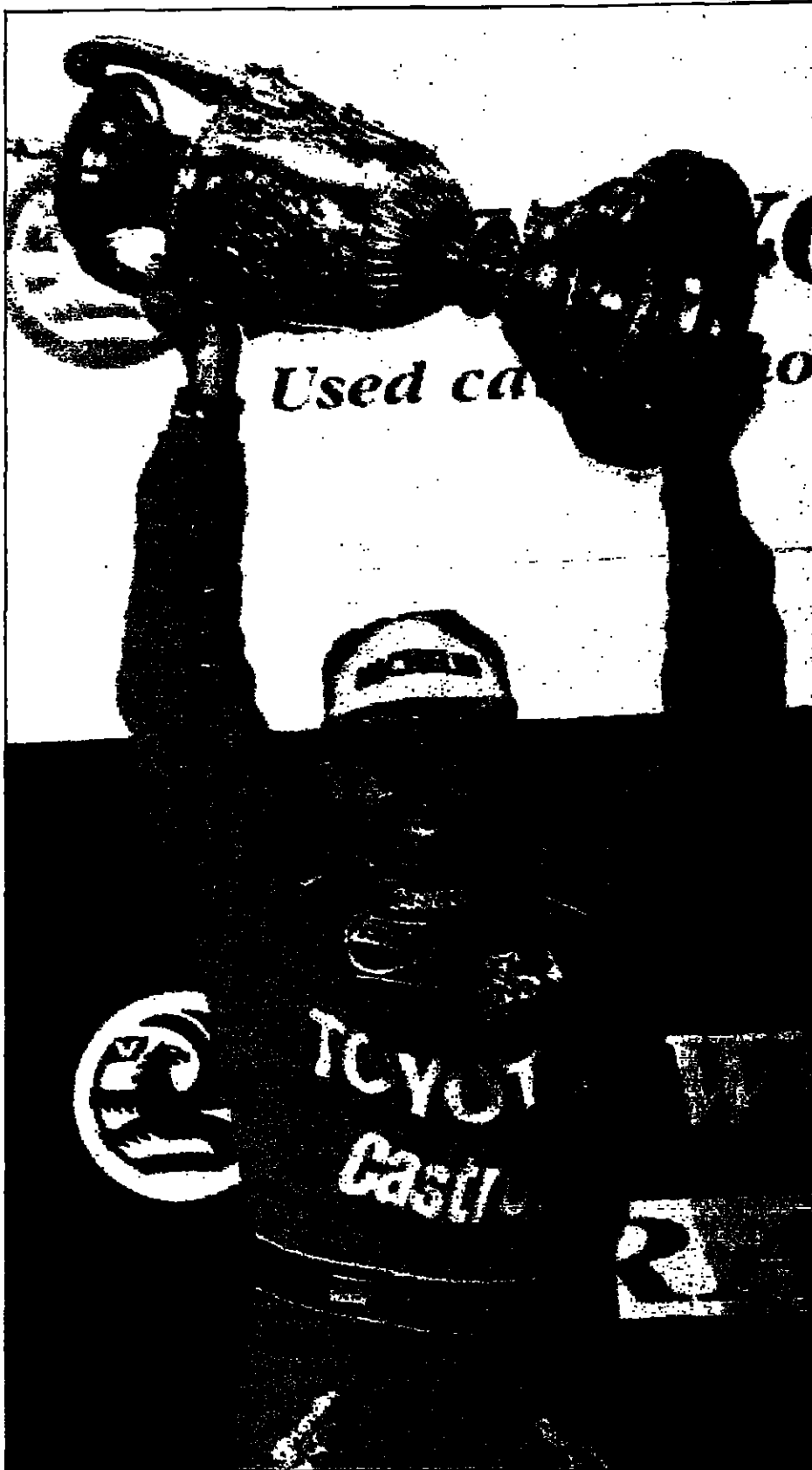
Brundle, who was in 73rd place overnight, had overtaken five cars on the first stage of the day at Hafren, a rare achievement in a sport in which competitors set off at one-minute intervals, and was trying to pass a sixth when he skidded into a ditch.

He kept his foot on the accelerator in the hope of extricating himself and Roger Freeman, his co-driver, but succeeded only in slamming his Ford Escort into a bank. The impact caused a turbo fire and they had to make a hasty exit, nursing sore ribs.

"It was going beautifully," Brundle said. "We had passed a lot of cars, but we hit the bank and we were stuck. There was no way back. It was no big drama, but we are both a bit sore because we came to a rather sudden stop. It was a shame because it was starting to go so well.

"You cannot afford to stop concentrating for a second because there are pitfalls at every turn. On the first day I was out of my depth and I was wondering why I was doing it, but you learn things the hard way and soak up the experience. I had never driven on snow tyres before Saturday and I did not enjoy it at all.

"Today I could have cruised round and made it to the finish, but I did not want to do that just to prove that a grand-prix driver could last it out; but I do not want to leave it like this. I don't know when I will do it again because I have got to go out and get myself a job first. In truth, it was too big a challenge, but I would not have missed it for the world."

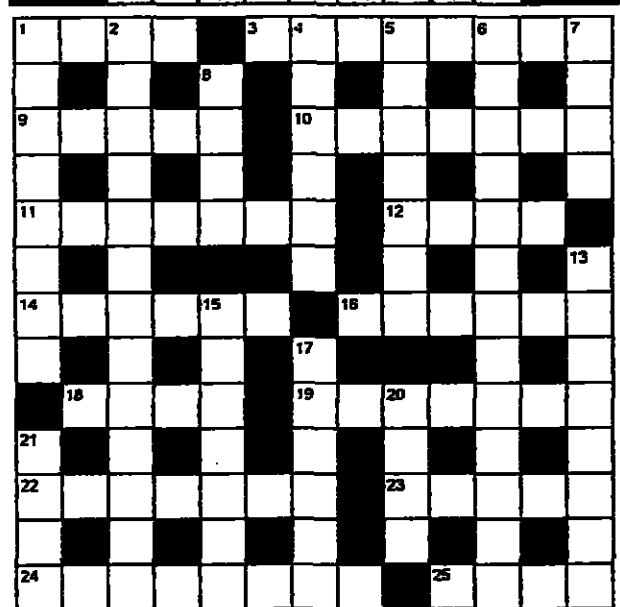


The trophy is lifted by Schwarz after an RAC Rally deprived of the drama of recent years



Schwarz's Toyota Celica powers through Snowdonia

## TIMES TWO CROSSWORD



No 949

## ACROSS

- 1 Small and cramped (4)
- 3 Vessel for simmering soup (8)
- 9 Of the nose (5)
- 10 Edible plant; actors' mutter (7)
- 11 Yacht racing event (7)
- 12 Major conurbation (4)
- 14 Opt (6)
- 16 A hat; seedling cover (6)
- 18 9-toned wind instrument (4)
- 19 Emblems of eg royalty (7)
- 22 Vent; start (7)
- 23 Talked; part of wheel (5)
- 24 White precipitation (8)
- 25 Heroic achievement (4)

## DOWN

- 1 Trifling annoyance, injury (8)
- 2 Accept loss of (4,7,2)
- 4 Sikh headress (6)
- 5 Body of advisors, debaters (7)
- 6 Trick (to make fun of someone) (9,4)
- 7 "— or not —" (Hamlet) (2,2)
- 8 Foot; a soft lump (4)
- 13 Exhibiting symptoms of decline (8)
- 15 (Wild West) law officer (7)
- 17 Inexpensive (diet, habits) (6)
- 20 Sudden wind (4)
- 21 Defeat; deprivation (4)

## SOLUTION TO NO 948

ACROSS: 1 Louise 8 Hormone 9 Glutton 10 Valet 11 Tony 12 Agar-agar 15 Detached 16 Drag 19 Dacha 21 Allimony 22 Trample 23 Solve

DOWN: 1 Flight 2 Huguenot 3 Petty 4 Bravery 5 Bowl 6 Fetter 8 Hand grenade 13 Gargyle 14 Scrappy 15 Ratty 17 Cloyer 18 Kiosk 20 Crab

## Charlton teenager fails drug test

By JOHN GOODBODY

JAY NOTLEY, 18, a Charlton Athletic midfielder, faces a lengthy ban from football after testing positive for a cocktail of drugs, consisting of cocaine, cannabis and Ecstasy. The FA has charged Notley, who is in his first year as a professional, with misconduct and he has been suspended until his case is heard by a disciplinary committee.

Steve Double, the FA spokesman, said: "It is the first time we have come across a cocktail of drugs like this, so it is obviously a serious matter. Cocaine and Ecstasy are class A drugs, and cocaine is a performance-enhancing drug, too."

Notley was caught when the FA's drug-testing unit visited Charlton's training ground on November 4, two days after he

returned from a month on loan with Dagenham and Redbridge, the Isthmian league club.

Notley is the third player from Charlton to be caught by random tests. Lee Bowyer, the England Under-21 international who is now with Leeds United, and Dean Chandler were given counselling, while Craig Sloan, a fourth Charlton player, has confessed publicly to drug abuse.

Alan Curbishley, the Charlton manager, said: "We are very disappointed. No other football club has worked as hard as we have. We have had drugs awareness talks for everyone and we have been doing in-house testing."

"Jay has not featured in the first team and barely played for the reserves here. He has lost his way on the field lately as well as off it. Perhaps, they are connected; I don't know. I

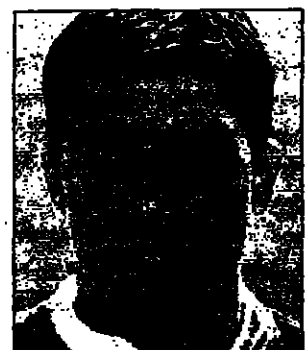
hope and wish that he takes the rehabilitation and comes out of it successfully."

The revelation is also a blow to the FA, the game's governing body in England, which is spending £1 million on a campaign against excessive drinking and the taking of drugs. All 147 of its centres of

excellence have received posters aimed at youngsters, featuring cartoon figures such as "Joe the Joint".

Notley is the first positive sample to emerge from the 300 taken this season, but comes in the wake of a spate of findings and controversies over the past two seasons. In 1994-95 there were 12 positive tests in English football, of which eight were for marijuana and one for an amphetamine, and there was also the admission by Paul Merson, the Arsenal forward, that he had taken cocaine.

Last season the figure dropped to seven positive drugs cases, five of which were for marijuana. Roger Stanislaus, of Leyton Orient, took cocaine and was banned from football for a year and sacked by his club.



Notley: suspended

Leniency plea, page 44

## British athletics runs out of money

David Powell reports on the cost-cutting measures that could dent medal hopes

THE British Athletic Federation (BAF) is so hard up that it will not be sending a full squad to the European cross country championships in Charleroi, Belgium, next month, thereby undermining an outstanding chance of team gold medals in the men's race. In another indication of how parlous the federation's finances have become, national event coaches have been told to freeze their budgets and that they cannot reclaim the cost of telephone calls.

The BAF yesterday named the six men charged with improving on the bronze medals won last year, but confirmed that the two reserves would be non-travelling. Should one or more of the six fall sick, or be injured, close to the race, the team will line up

short. How distressing it would be for British men's cross country if it was to be denied its greatest day since England's last world title win, in 1980, by cash constraints.

After sustaining losses of some £750,000 in 1995 and 1996, forcing cuts in the BAF's support to the regions, leagues and clubs, the sport in Great Britain has been left juggling on the spot, pending assistance from the National Lottery and the overdue signing of a new domestic television contract. At a BAF national conference ten days ago, Phil Bannister, the federation's national coach for en-

durance running, said: "The national coaches have been told to freeze their budgets. They cannot reclaim the cost of telephone calls. Their calls sponsor British athletics."

The conference was held in a mood of optimism after the Government announced that £20 million a year of lottery money would go to the national governing bodies of sport from next March. With rescue in sight, and television and sponsorship deals imminent, Bannister hopes that the team will triumph in Charleroi, because "it would be a nice start to the new era".

Geoff Parsons, the British Athletes' Association's professional director, said that not taking reserves was "an acceptable risk", bearing in mind the financial circumstances. Neil Caddy is the athlete who will feel hard done by. He has been omitted after winning two big domestic races, in Margate and Bristol, this month and has been listed as first reserve. Christian Stephenson has been preferred to Caddy largely because he ran a personal best track 5,000 metres in Chiba, Japan, on Saturday and has more of a pedigree over the country. TEAMS: Men: 5 Braden (GB), 1 Brian (Ireland), 2 Barrow (Ireland), 3 Cullen (Scotland), 4 Pearson (Ireland), 5 Stephenson (Ireland), 6 Caddy (Ireland), 7 Taylor (Ireland), 8 Cullen (Scotland), 9 Taylor (Ireland), 10 Cullen (Scotland), 11 Taylor (Ireland), 12 Cullen (Scotland), 13 Taylor (Ireland), 14 Cullen (Scotland), 15 Taylor (Ireland), 16 Cullen (Scotland), 17 Taylor (Ireland), 18 Cullen (Scotland), 19 Taylor (Ireland), 20 Cullen (Scotland), 21 Taylor (Ireland), 22 Cullen (Scotland), 23 Taylor (Ireland), 24 Cullen (Scotland), 25 Taylor (Ireland), 26 Cullen (Scotland), 27 Taylor (Ireland), 28 Cullen (Scotland), 29 Taylor (Ireland), 30 Cullen (Scotland).

## Webb victory makes her talk of town

Young Australian golfer hits the jackpot in Las Vegas and tops US money-list

THE people of the small sugar farming town of Ayr, Australia, were up early yesterday morning to watch the town's most famous daughter make golf history. Many among the 9,000 residents were watching a satellite television broadcast of the final round of the US LPGA Tour Championship in Las Vegas, where Karrie Webb, 21, won by four shots to secure her place at the top of the US money-list with earnings of \$1,002,000 (about £626,250).

Members of Webb's family, including her mother, Evelyn, her father, Robert, and her sisters, Katie, and Janelle, packed into the home of her coach, Kelvin Haller, to watch the closing holes of the tournament. "The phone kept ringing with people asking how she was going — the whole town was watching," Evelyn said. "Everyone was crying by the time she won."

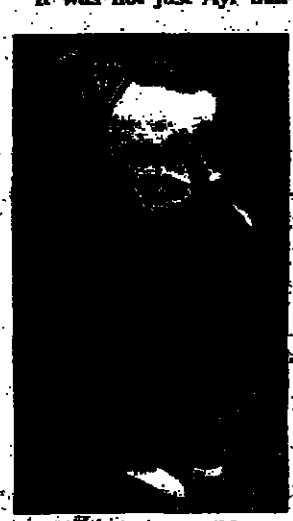
For Webb, already named as the rookie of the year, the victory — her fourth of the season — meant that she was the first golfer to win \$1 million in a single US LPGA season, three years after leaving her family's fast-food shop in Ayr, which is almost 1,000 miles north of Brisbane, and playing the town's only golf course.

Her triumph also denied Laura Davies, the world No 1, of celebrating her own double — that of topping the money-lists in Europe and the United States. "I'm disappointed," Davies said. "I had wanted to win it. If you are going to get beat, you might as well get beat by one of the best. All year Karrie's shown how good she is."

The Briton had to settle for the consolation that her prize-money for fifth place in Las Vegas made her the first woman golfer to earn £1 million worldwide in a single season.

Webb telephoned her parents before starting her final round. "When Robert and I got off the phone, we just looked at each other and said: 'She's going to win this,'" Evelyn said. "She just seemed so confident."

In a tearful victory speech, Webb gave a special mention to her coach. "I'd like to thank Kelvin Haller; I saw him last week for the first time in months and he really turned my game around," she said. Haller has coached Webb since she was 12, but has been confined to a wheelchair for several years after suffering complications after surgery. When Webb returned to Australia earlier this month complaining of having problems with her swing, Haller made a 1,000 mile journey to the Gold Coast to advise her. It was not just Ayr that



Webb celebrates making a point on her way to victory

was rejoicing in Webb's triumph yesterday. Mick Veivers, the Sports Minister of Queensland, was boasting that the state now had the best male and female golfers in the world, in Greg Norman and Webb.

Norman, the world No 1, said Webb had scaled an "extra level" with her victory in Las Vegas and said he had spoken with her earlier this month about the pressure of winning tournaments. "I know she had a lot of pressure... which she put on herself to go out there and win," Norman said. "Knowing you've got the pressure and then going out and winning... she's gone that extra level higher now."

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